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**Planning and Development Acts 2000 to 2020**

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

**Planning Register Reference Number: D20A/0030**

**Appeal** by Daniel Brennan of 19 Glenomena Park, Blackrock, County Dublin against the decision made on the 17<sup>th</sup> day of June, 2020 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to University College Dublin care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Landscaping and Infrastructure Enabling works as part of the Future Campus Phase 1 proposals. The proposed development will consist of significant public realm improvements within the campus including: modifications to existing entrance arrangement (including replacement of existing gates) and provision of new arrival plaza at the main entrance to the University College Dublin campus at Belfield. Provision of a shared space pedestrian/cyclist spine route within the campus area from the new entrance/arrival plaza at the east of the existing Tierney Building. Creation of new extensive landscaped public realm areas (including the Ardmore Quad and the area to the south-east of Ardmore House - a Protected Structure) including a new network of shared space pedestrian/cycle routes, resurfacing

works and an upgrade of existing pedestrian facilities within the application boundary. Construction of the following structures: three number mechanical and electrical plant (MEP)/services compounds and plant facilities with a combined area of (circa 723 square metres), generally located to the north-west of the Clinton Auditorium and the south-west of the Engineering and Materials Science Centre. Demolition of the following buildings and structures: security hut/entrance booth (circa 40 square metres) located at the main campus entrance. The single storey Campus Bank building (circa 340 square metres). The single storey Ardmore Annex (circa 1,300 square metres) a standalone building located to the north-east of Ardmore House (a Protected Structure). The existing mechanical electrical plant (MEP)/services plant area (with a combined area of circa 96.5 square metres) and all associated external apparatus generally to the south-west of the existing Engineering and Materials Science Centre. The removal of the existing entrance gates and associated elements. The making good and levelling of ground following removal of buildings/plant (as necessary) and all associated temporary landscaping measures. The proposal also provides for: diversion and reconfiguration of the existing internal road network within the application boundary and provision of one number gyratory providing vehicular access/egress to/from the existing car park (at the north eastern boundary of the site), the reconfigured engineering car park and Belfield House (a Protected Structure). Extensive hard and soft landscaping proposals throughout, including the removal of existing trees, implementation of mitigation measures to retain existing trees and extensive replacement planting of native trees and all associated tree protection measures, landscaping boundary treatments, campus lighting, a new entrance sign (double sided) – circa 30 square metres each) within the new arrivals' plaza. Provision of 502 number cycle parking facilities throughout the new public realm areas. Reconfiguration of the existing engineering car park to accommodate a total of 14 number car parking spaces (including eight number accessible spaces). Permanent reconfiguration and extension of the existing car parking area and all associated elements (on lands at the former

running track and adjacent car park 6) to provide 680 number car parking spaces. Including 323 number car parking spaces (including 32 number E car spaces) relocated from the existing Tierney car park and Engineering car park, as well as 357 number car parking spaces (of which 335 were granted temporary retention permission under Dún Laoghaire-Rathdown County Council planning register reference number D18A/0244). All associated ancillary elements including associated ancillary plant, site services, all associated drainage works (including provision of attenuation tanks and SuDs measures) and all associated site development works. There are no works proposed to the existing Protected Structures within the University College Dublin campus as part of this planning application, all on a site of circa 7.56 hectares at University College Dublin Campus, Belfield, Dublin (the overall campus includes Protected Structures). The proposed development was revised by further public notices received by the planning authority on the 15th day of May, 2020.

## **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:

- (a) the established use of the site and its relationship with the wider University College Dublin Belfield campus;
- (b) the site location at the UCD Belfield campus on lands with a zoning objective TLI “To facilitate, support and enhance the development of third level education institutions” under the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022;
- (c) the provisions of the UCD Strategic Campus Development Plan 2016-2021-2026 and of the UCD Campus Travel Plan 2016-2021-2026;
- (d) the nature, scale and design of the proposed development;
- (e) the pattern of existing and permitted development in the area, with particular reference to planning register reference numbers D20A/0028 and D20A/0029; and
- (f) the submissions and observations submitted with the application and the appeal;

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate form of development at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area, would be acceptable in terms of pedestrian and traffic safety, and would not have significant adverse effects on the

environment. 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 further plans and particulars submitted on the 15<sup>th</sup> day of May 2020, 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. Prior to commencement of development, a set of revised site layout plans consistent with Drawing Numbers UCDM-MA-ZZ-ZZ-DR-L-0100 Rev. P01: 'Masterplan Context Plan', UCDM-ARUP-ZZ-XX-DR-C-0009 Rev. C01: 'Surface Water Catchment Area Layout', and the 'Drainage and Watermain Site Plans' shown on Drawing Numbers UCDM-ARUP-ZZ-XX-DR-C-0005 to UCDM-ARUP-ZZ-XX-DR-C-0008, and incorporating the revisions detailed in the amended particulars received as further information by the planning authority on the 15<sup>th</sup> day of May, 2020, shall be submitted to, and agreed in writing with, the planning authority.

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

3. All of the environmental, construction and ecological mitigation measures, as set out in the Ecological Impact Assessment and other particulars submitted with the application, and in the further information submitted to the planning authority on the 15<sup>th</sup> day of May, 2020, shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.

**Reason:** In the interests of clarity, and the protection of the environment during the construction and operational phases of the development.

4. Prior to the felling of any trees on site, a bat roost inspection survey shall be carried out at an appropriate time of year by a qualified ecologist in order to establish the presence of any potential roosts. Any felling of trees with bat roost potential shall only be carried out in the period September to October in the presence of a licensed bat specialist and following the procedures set out in the Ecological Impact Assessment submitted with the application. Any envisaged destruction of trees that support bat populations shall be carried out only under licence from the National Parks and Wildlife Service and details of any such licence shall be submitted to the planning authority.

**Reason:** To ensure the protection of the natural heritage on the site.

5. All lighting of the proposed development shall be in accordance with the recommendations of the Ecological Impact Assessment submitted with the application.

**Reason:** To ensure the protection of the natural heritage on the site.

6. The measures to conserve the species of solitary mining bee identified on site, as set out in the Ecological Impact Assessment submitted with the application, shall be implemented in full ahead of the clearance of the bank in which the existing nesting burrows of the species are located.

**Reason:** To ensure the protection of the natural heritage on the site.

7. 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. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health.

8. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall be in accordance with the detailed standards of the planning authority for such works.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

9. The proposed development shall be amended to omit 22 number of the surface car parking spaces proposed at the former running track. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that the development complies with the UCD Campus Travel Plan 2016-2021-2026 and in the interest of sustainable transport.

10. The total quantum of car parking for any purpose throughout the UCD Belfield campus shall not exceed 3,600 number spaces.

**Reason:** To ensure that the development complies with the UCD Campus Travel Plan 2016-2021-2026 and in the interest of sustainable transport.

11. The site shall be landscaped in accordance with the comprehensive landscaping scheme and Arboricultural Assessment submitted with the application, as amended by the further plans and particulars submitted on the 15<sup>th</sup> day of May, 2020, unless otherwise agreed in writing with the planning authority prior to commencement of development.

The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development.

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 visual amenity.



12. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
  - (b) employ a suitably qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

13. 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, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

14. 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 interest of sustainable waste management.

15. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

**Reason:** In the interests of public safety and residential amenity.

16. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the protection of the trees on site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period two years from the substantial completion of the development with others of similar size and species. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To secure the protection of the trees on the site.

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**Paul Hyde**

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

**Dated this            day of            2021.**