



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 16th day of December 2020 by DBTR-SCR1 Fund, a Sub-Fund of the CWTC Multi Family ICAV care of McCutcheon Halley Chartered Planning Consultants of Kreston House, Arran Court, Arran Quay, Dublin.

Proposed Development comprises of the following:

The development will consist of;

1. The demolition of all buildings (15,454 square metres Gross Floor Area), excluding the original fabric of the former Player Wills Factory, to provide for the development of a mixed use residential, community, arts and culture, creche, food and beverage and retail scheme comprising predominantly Build to Rent 492 number apartment dwellings together with a significantly lesser quantity of 240 number single occupancy shared accommodation private living areas, with an average private living floor area of 24.6 square metres double the minimum private living space size required for single occupancy shared accommodation and a arts, culture and community hub within the repurposed ground floor of the former factory building;

2. Change of use, refurbishment, modifications and alterations to the former Player Wills Factory building (PW1) to include the removal of one number later addition storey (existing fourth storey) and the later addition rear northern extension, retention and modification of three number existing storeys and addition of two number storeys set back on the building's south, east and west elevations with an eight storey projection (maximum height 32.53 metres) on the north eastern corner, with a cumulative gross floor area of 17,630 square metres including ancillary uses, comprising;
- (a) At ground floor 852 square metres of floor space dedicated to community, arts and cultural and exhibition space together with artist and photography studios (Class 1 and Class 10 Use), 503 square metres of retail floor space (Class 1 Use), 994 square metres of café, bar and restaurant floor space, 217 square metres of co-working office floor space (Class 3 Use) and ancillary floor space for welfare facilities, waste management and storage,
 - (b) 240 number single occupancy shared accommodation private living areas, distributed over levels one to four, including two number rooms of 30 square metres, 49 number rooms of 25 square metres; 14 number rooms of 23 square metres, 58 number rooms of 22.5 square metres, eight number rooms of 20 square metres, 104 number rooms of 19 square metres and five number disabled access (Part M) rooms (three number 32 square metres and two number 26 square metres); 21 no. kitchen and dining areas, and, 835 square metres of dedicated shared accommodation services, amenities and facilities distributed across levels one to four, to accommodate uses including lounge areas, entertainment (games) area, two number external terraces (Level 03 and 04), laundry facilities, welfare facilities and waste storage,
 - (c) 47 number Build to Rent apartments distributed across levels one to seven including 12 number studio apartments; 23 number one-bed apartments, eight number two-bed apartments: and, four number three-bed apartments,

- (d) 1,588 square metres of shared Build to Rent and shared accommodation services, amenities and facilities including at ground floor reception and lobby area, parcel room, two number lounges and administration facilities; at Level 01 entertainment area, TV rooms, entertainment (games room), library, meeting room, business centre; at Level 02 gym and storage and at Level 07, a lounge area,
 - (e) Provision of communal amenity outdoor space as follows; PW1 - 450 square metres in the form of roof terraces dedicated to shared accommodation and 285 square metres roof terrace for the proposed apartments,
 - (f) A basement (190 square metres) underlying the proposed eight storey projection to the northeast of PW1 to accommodate plant.
3. The construction of 445 number Build to Rent apartment units, with a cumulative gross floor area of 48,455 square metres including ancillary uses distributed across three number blocks (PW 2, 4 and 5) comprising;
- (a) PW2 (45,556 square metres gross floor area including ancillary uses) - 415 number apartments in a block ranging in height from two to nineteen storeys (maximum height 63.05 metres), incorporating 16 number studio units; 268 number one-bed apartments, 93 number two-bed apartments and 38 number three-bed apartments. At ground floor, two number retail units (combined 198 square metres) (Class 1 use), and a café and restaurant (142 square metres). Tenant services, amenities and facilities (combined 673 square metres) distributed across ground floor (lobby, mail room, co-working and lounge area), Level 06 (terrace access) and Level 17 (lounge). Provision of communal amenity open space including a courtyard of 1,123 square metres and roof terraces of 1,535 square metres,
 - (b) Double basement to accommodate car parking, cycle parking, waste storage, general storage and plant,

- (c) PW4 (1,395 square metres gross floor area including ancillary uses) – nine number apartments in a part two to three storey block (maximum height 10.125 metres) comprising, two number two-bed duplex apartment units and seven number three-bed triplex apartment units. Provision of communal amenity open space in the form of a courtyard 111 square metres,
 - (d) PW5 (1,504 square metres gross floor area including ancillary uses) - 21 number apartments in a four storey block (maximum height 13.30 metres) comprising 12 number studio apartments, one number one-bed apartment, five number two-bed apartments, and three number three-bed apartments. Provision of communal amenity space in the form of a courtyard 167 square metres.
4. The construction of a childcare facility (Block PW4) with a gross floor area of 275 square metres and associated external play area of 146 square metres;
 5. The provision of public open space with two number permanent parks, 'Players Park' (3,960 square metres) incorporating active and passive uses to the northwest of the former factory building on lands owned by Dublin City Council; 'Saint Catherine's Park' (1,350 square metres) a playground, to the north east of the Player Wills site adjacent to Saint Catherine's National School. A temporary public park (1,158 square metres) to the northeast of the site set aside for a future school extension. The existing courtyard (690 square metres) in block PW1 (former factory building) to be retained and enhanced and a public plaza (320 square metres) between proposed blocks PW and PW4.
 6. 903 number long stay bicycle parking spaces, with 861 number spaces in the PW2 basement and 42 number spaces at ground level in secure enclosures within blocks PW4 and PW5. 20 number spaces reserved for non-residential uses and 110 number short stay visitor bicycle spaces provided at ground level.

7. Four number dedicated pedestrian access points are proposed to maximise walking and cycling, two number from South Circular Road, one number from Saint Catherine's Avenue and one number from Donore Avenue.
8. In the basement of PW2, 148 number car parking spaces to serve the proposed Build to Rent apartments including 19 number dedicated disabled parking spaces and six number motorcycle spaces. 20 number spaces for a car sharing club ('GoCar' or similar). 10% of parking spaces fitted with electric charging points.
9. In the basement of PW2, use for 81 number car parking spaces (1,293 square metres net floor area) including five number dedicated disabled parking spaces, three number motorcycle spaces and 10% of parking spaces fitted with electric charging points to facilitate residential car parking associated with future development on neighbouring lands. The area will not be used for carparking without a separate grant of permission for that future development. In the alternative, use for additional storage (cage or container) for residents of the proposed development.
10. 37 number surface level car parking spaces including three number disabled access and three number creche set down spaces and 10% fitted with electric charging points. Two number loading bays and two number taxi set down areas.
11. Development of internal street network including a link road (84 metres long by 4.8 metres wide) to the south of the proposed 'Players Park' on land owned by Dublin City Council that will provide connectivity between the former 'Bailey Gibson' site and the 'Player Wills' site.
12. Vehicular access will be provided via Donore Avenue with a one way exit provided onto South Circular Road to the east of block PW1 (the former factory building).
13. Replacement and realignment of footpaths to provide for improved pedestrian conditions along sections of Donore Avenue and South Circular Road and realignment of centreline along sections of Donore Avenue with associated changes to road markings.

14. A contra flow cycle lane is proposed at the one way vehicular exit to the east of PW1 (former factory building) to allow two way cycle movements via this access point.
15. Decommissioning of existing two number Electricity Supply Board substations and the construction of two number Electricity Supply Board substations and associated switch rooms, one number single Electricity Supply Board substation in PW 1 (43.5 square metres) and one number double Electricity Supply Board substation in PW2 (68 square metres).
16. The construction of a waste and water storage building (combined 133 square metres, height 4.35 metres) to the west of building PW1.
17. All ancillary site development works; drainage, rooftop solar photovoltaics (20 number panels total), landscaping, boundary treatment and lighting. Site Notice Version: 30th November 2020 all located at the former 'Player Wills' site (2.39 hectares) and adjoining lands (0.67 hectares) under the control of Dublin City Council. A public park, public road and works to South Circular Road and to facilitate connections to municipal services at Donore Avenue are proposed on the Dublin City Council land. The former 'Player Wills' site incorporates Eircode's: D08 T6DC, D08 PW25, D08 X7F8 and D08 EK00 and has frontage onto South Circular Road, Saint Catherine's Avenue and Donore Avenue, Dublin 8. The Dublin City Council undeveloped land adjoins the former 'Player Wills' site to the west and the former 'Bailey Gibson' site to the east. The total area of the proposed development site is 3.06 hectares.

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

In coming to its decision, the Board had regard to the following:

- (a) The location of the site in the established urban area of Dublin City in an area zoned for residential development (Z14, within Strategic Development and Regeneration Area Number 12, and a small portion of the land to the north east is zoned Z1 – Sustainable Residential Neighbourhoods, with the land use zoning objective to protect, provide and improve residential amenities),
- (b) The policies and objectives as set out in the Dublin City Development Plan 2016-2022,
- (c) The provisions of Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (d) The provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended,
- (e) The provisions of the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual, A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,
- (f) The provisions of the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018 and particularly Specific Planning Policy Requirement 3,

- (g) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in March 2018,
- (h) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2020,
- (i) The provisions of the Architectural Heritage Protection, Guidelines for Planning Authorities, issued by the Department of Arts, Heritage and the Gaeltacht in October 2011,
- (j) The nature, scale and design of the proposed development and the availability in the area of a wide range of social, transport and water services infrastructure,
- (k) The planning history of the site and within the area, including the non-statutory Framework and Masterplans for the site and wider Strategic Development and Regeneration Area Number 12 lands at this location,
- (l) The provisions of section 37(2)(b) of the Planning and Development Act 2000, as amended, whereby the Board is not precluded from granting permission for a development which materially contravenes a Development Plan,
- (m) The pattern of existing and permitted development in the area,
- (n) The Chief Executive's Report of Dublin City Council,
- (o) The submissions and observations received, and
- (p) The report of the Planning Inspector.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban area, the Appropriate Assessment Screening Report submitted with the application, the Inspector's report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment Screening

The Board completed, in compliance with section 172 of the Planning and Development Act 2000, as amended, an environmental impact assessment of the proposed development, taking into account:

- (a) The nature, scale and extent of the proposed development,
- (b) The Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) The submissions from the developer, planning authority, the observers and the prescribed bodies in the course of the application; and
- (d) The Planning Inspector's report.

The Board considered that the environmental impact assessment report, supported by the documentation submitted by the developer, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated documentation submitted by the developer and submissions made during the course of the planning application.

The Board considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- Significant direct positive effects with regard to population and material assets due to the increase in the housing stock that it would make available in the urban area.
- A significant direct effect on land by the change in the use and appearance of a relatively large area of brownfield land to residential. Given the location of the site within the built up area of Dublin and the public need for housing in the region, this effect would not have a significant negative impact on the environment.
- Potential significant effects on soil during construction, which will be mitigated by the reuse of material on the site and the implementation of measures to control emissions of sediment to water and dust to air during construction.
- Potential effects arising from noise and vibration during construction which will be mitigated by appropriate management measures.
- Potential effects on air during construction which will be mitigated by a dust management plan including a monitoring programme.
- Potential indirect effects on water which will be mitigated during the occupation of the development by the proposed system for surface water management and attenuation with respect to stormwater runoff and the drainage of foul effluent to the public foul sewerage system, and which will be mitigated during construction by appropriate management measures to control the emissions of sediment to water.
- A positive effect on the streetscape because the proposed development would improve the amenity of the land through the provision of dedicated public open spaces and improved public realm.
- A positive direct effect on cultural heritage due to the proposed alterations to existing built heritage features within the site and a positive impact on cityscape views.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the environmental impact assessment report, and subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Conclusions on Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area. In coming to this conclusion, specific regard was had to the Chief Executive's Report from the planning authority.

The Board considered that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning objective of the statutory plans for the area, a grant of permission could materially contravene Dublin City Development Plan 2016-2022 in relation to building height. The Board considers that, having regard to the provisions of section 37(2) of the Planning and Development Act 2000, as amended, the grant of permission in material contravention of the City Development Plan would be justified for the following reasons and considerations.

- (a) In relation to section 37(2)(b)(i) of the Planning and Development Act 2000, as amended:

The proposed development is considered to be of strategic and national importance having regard to the definition of 'strategic housing development' pursuant to section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended and its potential to contribute to the achievement of the Government's policy to increase delivery of housing from its current under supply as set out in the provisions of Rebuilding Ireland Action Plan for Housing and Homelessness issued in July 2016.

It is further considered to be strategic in so far as it contributes to the achievement of the Project Ireland 2040 National Planning Framework objective in respect of delivering compact growth and urban regeneration specifically in this instance involving the regeneration of a disused former industrial site, brownfield infill development, within close proximity of the city centre, adjacent to significant public transport links. In addition, the subject site is located within a Strategic Development and Regeneration Area 12, that in itself implies strategic importance that elevates it above other residentially zoned lands contained in the development plan.

- (b) In relation to section 37(2)(b)(iii) of the Planning and Development Act 2000, as amended:

Permission for the development should be granted having regard to guidelines under section 28 of the Planning and Development Act 2000, as amended and Project Ireland 2040 National Planning Framework, specifically: in relation to the matter of building height, Specific Planning Policy Requirement 3 of the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018 which states that where a development complies with the Development Management Criteria in section 3.2, it may be approved, even where specific objectives of the relevant development plan or local area plan may indicate otherwise and national policy in Project Ireland 2040 National Planning Framework in particular Objectives 13 and 35. An assessment of the proposed development was carried out to determine that the proposed development conforms with the development management criteria in section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018.

- (c) In relation to section 37(2)(b)(iv) of the Planning and Development Act 2000, as amended:

Permission has been granted recently for An Bord Pleanála Reference Number ABP-307221-20 for the demolition of all existing structures at the former Bailey Gibson Site and the construction of 416 number residential units. The permitted development includes a single building that marginally exceeds 50 metres: building BG2 ranges from two to sixteen storeys 51 metres (max. height 72.435 metres above datum).

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. In default of agreement, such issues may be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report submitted with this application as set out in Chapter 16 'Summary of Mitigation Measures', shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

3. The proposed development shall be amended as follows:
 - (a) A 1.8 metre high privacy screen shall be incorporated on the roof terrace of the crèche aligning with and setback one metre from the shared east side boundary.
 - (b) The proposed works shall be designed to retain as much as possible of the original fabric of the building, such as the main staircase within the former Player Wills Factory to be retained if feasible and that all repairs and enhancements are executed in accordance with best conservation practice and guidance.

- (c) A Property Management and Operational Plan shall be prepared to address access and control arrangements to the internal communal area of block PW1, and pedestrian and cyclist access from Saint Catherine's Avenue.

Revised reports, plans and particulars showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

4. The shared accommodation units hereby permitted shall operate in accordance with the definition of Build to Rent developments as set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in March 2020.

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

5. Prior to the commencement of development, the developer shall submit details of a proposed covenant or legal agreement which confirms that the development hereby permitted shall remain owned and operated by an institutional entity for a minimum period of not less than 15 years and where no individual residential units shall be sold separately for that period. The period of 15 years shall be from the date of occupation of the first 'shared living units' or Build to Rent units within the scheme.

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

6. Prior to expiration of the 15 year period referred to in the covenant, the developer shall submit ownership details and management structures proposed for the continued operation of the entire development as a Build to Rent and shared accommodation scheme. Any proposed amendment or deviation from the Build to Rent and shared accommodation model as authorised in this permission shall be subject to a separate planning application.

Reason: In the interests of orderly development and clarity.

7. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

8. The boundary planting and areas of communal open space and public open space shown on the lodged plans shall be landscaped in accordance with the landscape scheme submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with the planning authority. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before any of the dwellings are made available for occupation. Access to green roof areas shall be strictly prohibited unless for maintenance purposes.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

9. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

10. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

11. Public lighting shall be provided in accordance with a final scheme to reflect the indicative details in the submitted Public Lighting Report, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development or installation of lighting. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

12. A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle charging stations or points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points or stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations or points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development.

Reason: To provide for and or future proof the development such as would facilitate the use of electric vehicles.

13. (a) Prior to the opening or occupation of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents, occupants, staff employed in the development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development. Details to be agreed with the planning authority shall include the provision of centralised facilities within the childcare facility of the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.
- (b) The Mobility Management Strategy shall incorporate a Car Parking Management Strategy for the overall development, which shall address the management and assignment of car spaces to residents and uses over time and shall include a strategy for the crèche, retail and car share parking. Car parking spaces shall not be sold with units but shall be assigned and managed in a separate capacity via leasing or permit arrangements.

(c) The 81 number car parking spaces shown at basement level including circulation area for said spaces (Drawing Number PW2 PL1250 refers), shall be utilised permanently as storage ancillary to the proposed residential development unless otherwise agreed with the planning authority.

Reason: In the interest of encouraging the use of sustainable modes of transport, traffic and pedestrian safety.

14. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

15. Details of any alterations to the road and pedestrian network serving the proposed development, including loading areas, footpaths, kerbs and access road to the underground car park shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and Streets. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

16. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development the developer shall submit to the planning authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon Completion of the development, a Stage 3 - Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management.

17. Prior to commencement of development, the developer shall enter into water and or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

18. Construction and demolition waste shall be managed in accordance with a final 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.

19. The construction of the development shall be managed in accordance with a final 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, including:
- (a) Works to remove trees and structures from the site shall take place outside of bird nesting season,
 - (b) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse,
 - (c) Location of areas for construction site offices and staff facilities,
 - (d) Details of site security fencing and hoardings. Hoardings shall include a one square metre area on each road frontage detailing site management contact details,
 - (e) Details of onsite car parking facilities for site workers during the course of construction,
 - (f) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,
 - (g) Measures to obviate queuing of construction traffic on the adjoining road network,
 - (h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
 - (i) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
 - (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,

- (k) Containment of all construction related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,
- (l) Off-site disposal of construction and demolition waste and details of how it is proposed to manage excavated soil,
- (m) Details of dewatering arrangements for construction of the basement to be determined in consultation with the Drainage Division at Dublin City Council and Inland Fisheries Ireland,
- (n) Means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local surface water sewers or drains,
- (o) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority,
- (p) A community liaison officer shall be appointed for the duration of the construction works.

Reason: In the interest of amenities, public health and safety.

20. Site development and building works shall be carried out only between 0700 to 1900 hours Mondays to Fridays inclusive and 0800 to 1300 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.

21. All plant including extract ventilation systems and refrigerator condenser units shall be sited in a manner so as not to cause nuisance at sensitive locations due to odour or noise. All mechanical plant and ventilation inlets and outlets shall be sound insulated and or fitted with sound attenuators to ensure that noise levels do not pose a nuisance at noise sensitive locations.

Reason: In the interest of residential amenity.

22. No advertisement or advertisement structure other than those shown on the plans and particulars submitted with the application shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

23. Proposals for an estate and street name, apartment block name, unit numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and unit numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements or marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of legibility and to ensure the use of locally appropriate place names for new residential areas.

24. 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.

25. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Any relocation of utility infrastructure shall be agreed with the relevant utility provider. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

26. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

27. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. 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 ensure the satisfactory completion of the development.

