

Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

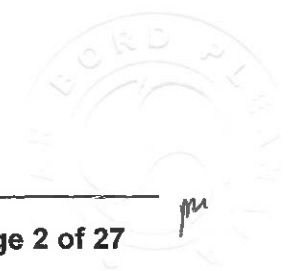
Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 4th day of June 2021 by The Shoreline Partnership care of Brady Shipman Martin of Canal House, Canal Road, Dublin.

Proposed Development comprises of the following:

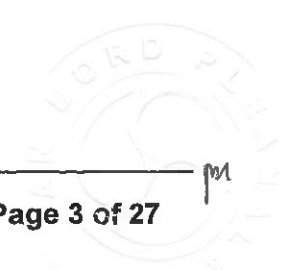
Alteration of permitted development, as permitted under Fingal County Council Register Reference Number F16A/0412, An Bord Pleanála Reference Number PL06F.248970 (and as amended under Fingal County Council Register Reference Number F20A/0258 and F21A/0046), for the development of 544 number residential units (385 number apartments and 159 number houses) retail and a creche (99 number units of which in Blocks C4, C5 and C6 (previously indicated as D1) are under construction) with development now proposed for 882 number residential dwellings (747 number apartments, 135 number houses) in 15 number blocks ranging in height from two to fifteen storeys and including for residential tenant amenity, retail, café, restaurant, pharmacy, medical centre, creche, gym, car and bicycle parking and public realm, over a site area of approx. 9.1 hectares, of which the development area is 8.89 hectares. The proposed alterations result in an overall increase of 437 number units and a total permitted development of 981 number units in total under Fingal County Council Register Reference Number F16A/0412, An Bord Pleanála Reference Number PL06F.248970 as amended. The proposed development relates to the alteration of development previously permitted

at Blocks A1, A2, A3, B1, B2, B3, B4, C1, C2 and C3 and new proposed Blocks D1, D2 and D3 to the north of Stapolin Square as follows:

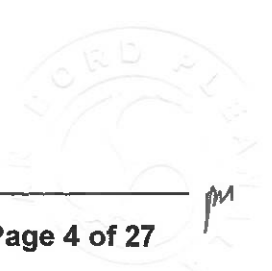
1. The proposed altered residential development will consist of 882 number residential dwellings, which includes 747 number apartments (38 number Studio, 209 number one-bed, 439 number two-bed, 61 number three-bed) and 135 number houses (seven number two-bed, 96 number three-bed, 32 number four-bed) as follows:
 - (a) Alteration of Blocks A1, A2 and A3 from permitted six storey buildings providing 195 number residential units; to proposed four to eight storey buildings providing 288 number apartment units as follows:
 - (i) Block A1 ranging in height from six to eight storeys and containing 101 number apartments, with proposed balconies, and solar panels at roof level,
 - (ii) Block A2 ranging in height from four to seven storeys and containing 102 number apartments, with proposed balconies, and solar panels at roof level,
 - (iii) Block A3 ranging in height from four to seven storeys and containing 85 number apartments, with proposed balconies, and solar panels at roof level,
 - (b) Alteration of Block B1 from permitted four storey building providing 80 number residential units; to three to five storey building providing 49 number apartment units, with proposed balconies,
 - (c) Alteration of Block B2 from three number three storey buildings providing 24 number residential units; to three to five storey building providing 39 number apartment units, with proposed balconies,
 - (d) Alteration of Block B3 from one number two storey terrace and three number three storey terraces providing 33 number houses; to 38 number two storey houses;



- (e) Alteration of Block B4 from two number two storey terraces and one number three storey terrace providing 25 number houses; to 36 number two storey houses;
- (f) Alteration of Block C1 from three number three storey buildings providing 34 number residential units; to Block C1 as 15 number two storey houses and a new Block C1A as four to six storey building providing 43 number apartment units, with proposed balconies;
- (g) Alteration of Block C2 from one number two storey terrace and two number three storey buildings providing 26 number residential units; to Block C2 as 17 number two and three storey houses and a new Block C2A as four to five storey buildings providing 33 number apartment units, with proposed balconies;
- (h) Alteration of Block C3 from one number two storey terrace and two number three storey buildings providing 28 number residential units; to C3 as 29 number two and three storey houses;
- (i) Provision of new Block D1 ranging in height from six to nine storey building providing 118 number apartment units with proposed balconies, and solar panels at roof level;
- (j) Provision of new Block D2 ranging in height from six to eight storey building providing 81 number apartment units with proposed balconies, and solar panels at roof level,
- (k) Provision of new Block D3 ranging in height from five to fifteen storey building providing 96 number apartment units, with proposed balconies and an external roof terrace at Level 15,;
- (l) Residential Tenant Amenity Facilities of circa 1,577 square metres located in Blocks A3 and D3 and external communal amenity space of circa 7,526 square metres provided at ground, podium and terrace levels throughout the scheme.



2. Commercial development in the ground floor of Blocks A1-A3 and D1-D3 containing gym of circa 411 square metres, convenience retail unit of circa 915 square metres, medical centre of circa 462 square metres, pharmacy of circa 268 square metres, creche of circa 539 square metres including outdoor play space of circa 123 square metres and, storage units of 292 square metres, two number retail, restaurant and cafe units of circa 485 square metres and circa 112 square metres. Total non-residential uses is circa 3,314 square metres.
3. Car Parking is provided in a mix of undercroft for the apartments and off street for the houses with a total parking of 671 number spaces for residential units, 40 number for residential visitor use and 107 number associated with the proposed commercial uses. 1,542 number bicycle parking spaces are provided for residents, visitor and commercial uses in secure locations and within the public realm throughout the scheme.
4. A revised central civic plaza at Stapolin Square centrally located around blocks A1-A3 and D1-D3 and new linear parks at Longfield Road adjacent Block B1-B2 and centrally located adjacent Blocks C1-C2-C3 totalling circa 10,042 square metres.
5. Proposed new bus, bicycle, pedestrian and taxi ramp to the north of Stapolin Square and Blocks D1-D3 providing access from Longfield Road to Clongriffin Train Station.
6. The development will also provide for all associated ancillary site development infrastructure including: Electricity Supply Board substations, bike stores, bin stores, plant rooms, public lighting, new watermain connection to the north and foul and surface water drainage; internal roads and footpaths; site landscaping, including boundary treatments; associated scheme signage, and all associated engineering and site works necessary to facilitate the development.



The proposed alterations do not apply to blocks C4, C5 and C6 (previously indicated as D1) of the permitted development, which relates to 99 number houses which are currently under construction or the permitted The Haggard Park which remains as permitted, or all other elements including Surface water attenuation wetlands and associated upstream surface water network, demolition of existing temporary lift and stair enclosure and associated infrastructure to Clongriffin Train Station, Road infrastructure (except where within the application boundary and requiring to be locally altered for proposed development), and Utilities infrastructure (except where within the application boundary and requiring to be locally altered for proposed development), all of which remain as per permitted all located at lands formerly known as the Coast, Baldoyle, Dublin 13. The lands are bound by the Dublin to Belfast and DART train line to the west, existing residential areas to the south and east, referred to as Myrtle and the Red Arches respectively and undeveloped lands to the north.

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.

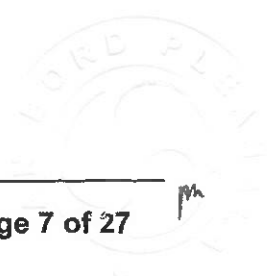
Reasons and Considerations

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

- (a) The location of the site adjacent to Clongriffin Train Station and close to other local facilities and amenities, within an established built up area on lands with zoning objective RA 'new residential' that seeks to 'provide for new residential communities subject to the provision of the necessary social and physical infrastructure' in the Fingal County Development Plan 2017-2023;
- (b) The policies and objectives as set out in the Fingal County Development Plan 2017-2023 and Baldoyle-Stapolin Local Area Plan 2013, as extended;
- (c) Objectives 3a, 3b, 11, 13 and 35 of the Project Ireland 2040 National Planning Framework;
- (d) The provisions of the Dublin Metropolitan Area Strategic Plan, part of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031;
- (e) The provisions of Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- (f) 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;
- (g) 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;
- (h) 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;
- (i) 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;

- (j) The provisions of the Planning System and Flood Risk Management for Planning Authorities (including the associated Technical Appendices), issued by the Department of the Environment, Heritage and Local Government in 2009;
- (k) The nature, scale and design of the proposed development;
- (l) The availability in the area of a wide range of educational, social, community and transport infrastructure;
- (m) The pattern of existing and permitted development in the area and the extant planning application that refers to the site and lands concerned;
- (n) The Chief Executive's Report of Fingal County Council;
- (o) The submissions and observations received;
- (p) The report of the Planning Inspector.

It is considered that, subject to compliance with the conditions set out below, the proposed development 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 and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



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 site, the information for the Appropriate Assessment Screening and Natura impact statement 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, other than Baldoyle Bay Special Area of Conservation (Site Code: 000199) and Baldoyle Bay Special Protection Area (Site Code: 004016), which are European Sites for which there is a likelihood of significant effects.

Appropriate Assessment

The Board considered the Natura impact statement and all other relevant submissions including expert submissions received and carried out an appropriate assessment of the implications of the proposed development on Baldoyle Bay Special Area of Conservation (Site Code: 000199) and Baldoyle Bay Special Protection Area (Site Code: 004016), in view of the above sites' Conservation Objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European Sites in view of the site's Conservation Objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

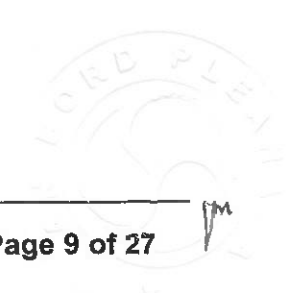
Environmental Impact Assessment Screening

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 in 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:

- (a) A Significant direct positive effect with regard to population and material assets due to the increase in the housing stock that it would make available in the urban area.
- (b) A significant direct effect on land by the change in the use and appearance of a relatively large area of urban waste ground 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.
- (c) Potential significant effects on soil during construction, which will be mitigated by the re-use of most material on the site and the implementation of measures to control emissions of sediment to water and dust to air during construction.
- (d) Potential effects arising from noise and vibration during construction which will be mitigated by appropriate management measures.
- (e) Potential effects on air during construction which will be mitigated by a dust management plan including a monitoring programme.
- (f) 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.
- (g) 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.

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.

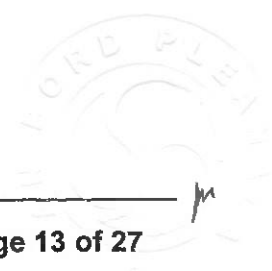
The Board considered that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning objective of the statutory plans for the area, a grant of permission could materially contravene the Fingal County Development Plan 2017-2023 in relation to car parking provision and the Baldoyle-Stapolin Local Area Plan 2013, as extended, in relation to building height and unit mix. The Board considers that, having regard to the provisions of section 37(2)(b)(i), (ii), (iii) and (iv) of the Planning and Development Act 2000, as amended, the grant of permission in material contravention of the Fingal County Development Plan 2017-2023 and the Baldoyle-Stapolin Local Area Plan 2013, as extended, would be justified for the following reasons and consideration:

- (a) In relation to section 37(2)(b)(i) of the Planning and Development Act 2000, as amended: the proposed development is in accordance with the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, and comprises a significant amount of housing units (882 number units) to deliver on the Government's policy to increase delivery of housing from its current under supply as set out in Rebuilding Ireland Action Plan for Housing and Homelessness 2016.
- (b) In relation to section 37(2)(b)(ii) of the Planning and Development Act 2000, as amended: the matter of conflicting objectives in the development plan, Objective PM38 of the Fingal County Development Plan 2017-2023 seeks to achieve an appropriate dwelling mix, size, type, tenure in all new residential developments, no specific targets are mentioned, however, Objective RS 2 of the Baldoyle-Stapolin Local Area Plan 2013, as extended, seeks to limit one-bed units to no more than 5%, the statutory plans for the area contain conflicting objectives.
- (c) In relation to section 37(2)(b)(iii) of the Planning and Development Act 2000, as amended: regional planning guidelines for the area, the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 seeks to increase densities on appropriate sites within Dublin City and Suburbs and this can result in taller buildings.

The proposed development in terms of height is in accordance with national policy as set out in Project Ireland 2040 National Planning Framework, specifically National Policy Objective 13 and National Policy Objective 35 and is in compliance with the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018, in particular Specific Planning Policy Requirement 3. In terms of unit mix, the proposed development meets the requirements of Specific Planning Policy Requirement 1 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 and Specific Planning Policy Requirement 4 of the Urban Development and Building Heights Guidelines for Planning

Authorities, issued by the Department of Housing, Planning and Local Government in December 2018 that seeks a greater mix of building heights and typologies. In terms of car parking provision, this can be minimised, substantially reduced or wholly eliminated at accessible urban locations, section 4.19 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.

- (d) In relation to section 37(2)(b)(iv) of the Planning and Development Act 2000, as amended: the pattern of development and permissions granted in the area since the adoption of the Fingal County Development Plan 2017-2023 where taller buildings were proposed, recent planning permissions for strategic housing granted in the wider area include; Fingal County Council Register Reference: F16A/0412 (An Bord Pleanála Reference Number PL06F.248970), An Bord Pleanála Reference Number ABP-305316-19 (SHD) and An Bord Pleanála Reference Number ABP-305319-19 (SHD) refer.



Conditions

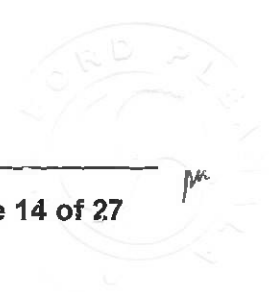
1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, 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. The proposed development shall be amended as follows:
 - (a) The two Public Lifts located within the Village Square (Stapolin Square) shall be omitted and an alternative means of access for all, such as ramps shall be provided.
 - (b) Car parking spaces R86 to R124 located beneath the proposed ramped access road to the Train Station Concourse shall be omitted from the undercroft car parking area. Water Tanks for D Blocks shall be repositioned away from beneath the ramped access road.
 - (c) Details of a safe street crossing point at the western edge of the Village Square and Stapolin Square for pedestrians and public transport users to safely cross to the train station.

Plans and Particulars that detail these amendments 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 and to promote more sustainable forms of transport.



3. The mitigation and monitoring measures outlined in Chapter 22 of the Environmental Impact Assessment Report submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: To protect the environment.

4. The mitigation and monitoring measures as they relate to the Baldoyle Bay Special Protection Area (Site Code: 004016) and Baldoyle Bay Special Area of Conservation (Site Code: 000199) outlined in Table 9 of the Natura impact statement submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: To protect the environment and integrity of Baldoyle Bay Special Protection Area (Site Code: 004016) and Baldoyle Bay Special Area of Conservation (Site Code: 000199).

5. The developer shall comply with all requirements of the planning authority in relation to roads, access, cycling infrastructure and parking arrangements. In particular:

The roads and footpaths shall be constructed in accordance with the planning authority's standards for taking in charge.

Reason: In the interests of traffic, cyclist and pedestrian safety and to protect residential amenity.

6. (a) Prior to the commencement of any house or duplex unit in the development as permitted, the developer or any person with an interest in the land shall enter into an agreement with the planning authority such agreement must specify the number and location of each house or duplex unit, pursuant to section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and or by those eligible for the occupation of social and or affordable housing, including cost rental housing.
- (b) An agreement pursuant to section 47 of the Planning and Development Act 2000, as amended, shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the developer or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land that the section 47 of the Planning and Development Act 2000, as amended, agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

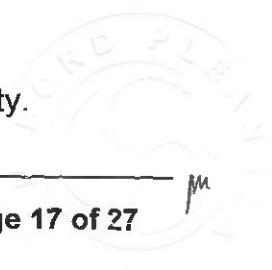
Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

7. The streets that are constructed and or completed on foot of this permission shall comply with the standards and specifications set out in 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. All streets shall be local streets as set out in section 3.2.1 of 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, whose carriageway shall not exceed 5.5 metres in width. Where perpendicular parking is provided on those streets the additional width required for vehicles to manoeuvre shall be incorporated into the spaces in accordance with figure 4.82 of 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.

Reason: In the interests of road safety and to ensure that the streets in the authorised development facilitate movement by sustainable transport modes in accordance with the applicable standards set out in 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.

8. 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 (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. 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.



9. All roads and footpaths shown connecting to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands. These areas shall be shown for taking in charge in plans and particulars to be submitted and agreed with the planning authority.

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

10. Details of the materials, colours and textures of all the external finishes to the proposed dwellings and 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.

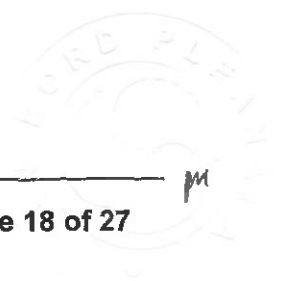
Reason: In the interest of visual amenity.

11. 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.

12. 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.



13. Proposals for an estate and street name, apartment 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).

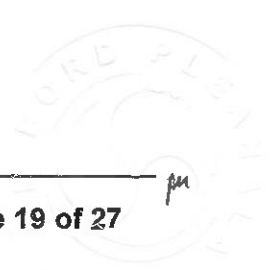
Reason: In the interest of legibility and to ensure the use of locally appropriate place names for new residential areas.

14. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces 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.

15. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

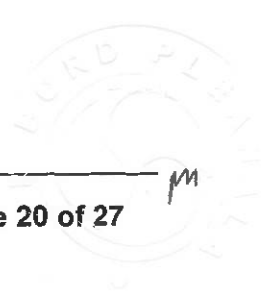


16. (a) Prior to the opening or occupation of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents, occupants and 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.
- (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 any 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.

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

17. A minimum of 10% of all car parking spaces should be provided with 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 has not been submitted with the application, in accordance with the above noted requirements, the developer shall submit such details which shall be agreed in writing with the planning authority prior to commencement of development.

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



18. (a) All windows and roof lights shall be double glazed and tightly fitting.
- (b) Noise attenuators shall be fitted to any openings required for ventilation or air conditioning purposes.

Details indicating the proposed methods of compliance with the above requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

19. 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.

20. The site shall be landscaped in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

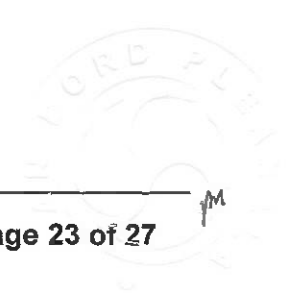
21. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best 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.

22. 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, including:
- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) Location of areas for construction site offices and staff facilities;
 - (c) Details of site security fencing and hoardings;
 - (d) Details of on-site car parking facilities for site workers during the course of construction;
 - (e) 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;
 - (f) Measures to obviate queuing of construction traffic on the adjoining road network;

- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) 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;
- (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) 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;
- (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (m) 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.
- (o) Alternative arrangements to be put in place for pedestrians, cyclists and vehicles in the case of the closure of any public road or footpath during the course of site development works and the maintenance of access to Clongriffin Railway Station at all times;

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



23. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority the details and schedule of works adjacent to the railway line that address the matters referred to by Irish Rail in their submission on this application dated 8th July 2021. Any works associated with the proposed development including boundary treatments and landscaping shall ensure that the integrity of the embankment adjacent to the railway line is maintained.

Reason: To protect the railway and in the interests of public safety.

24. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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.

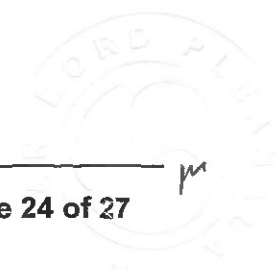
Reason: In order to safeguard the residential amenities of property in the vicinity.

25. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

Reason: To ensure the satisfactory completion and maintenance of this development.

26. 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.



27. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority the details referred to by the Irish Aviation Authority in their submission on this application dated 17th June 2021.

The developer shall engage with Dublin Airport Authority to ensure that any crane operations do not impact on flight procedures and air safety. The developer shall also contact the Irish Aviation Authority and DAA of intention to commence crane operations with a minimum of 30 days notification of their erection.

Reason: In the interest of residential amenity and aircraft safety.

28. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

29. 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.

30. 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 provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance 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 and maintenance of the development until taken in charge.

31. 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.

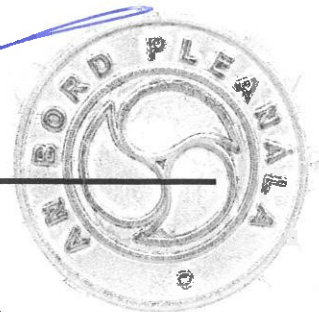
32. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Paul Hyde

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



Dated this *22nd* day of *September* 2021