

An
Bord
Pleanála

Board Order
ABP-312718-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/0749

Appeal by Steven and Bríd Ann Dagg of 55 Mount Anville Wood, Goatstown, Dublin and by Beacon One Management CLG care of BPS Planning and Development Consultants of Ballinatone, Greenan, Wicklow, against the decision made on the 20th day of January, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Beacon Hospital Sandyford Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Eight number storey extension to the existing Beacon Hospital and Beacon One Apartment Complex (6,063 square metres). The proposed development will provide a 5,746 square metres, seventy number bed hospital extension with new accident and emergency facilities, oncology facilities and associated in-patient treatment rooms. It will also separately provide four number new apartment units (three number one-bedroom units and one number studio unit) totalling 317 square metres at Level +02 to Beacon One Apartment Complex, accessible via the existing northern access at Level +01 at Beacon One. The substantive demolition of the existing eight number storey Beacon Hotel (4,431

square metres) from ground (Level +01) and related site clearance works, is required in order to facilitate this development. The development will also include ancillary administration offices; staff and patient facilities, including a staff and patient café; connections to the existing hospital at Levels +03 to +08; extension of existing lift shafts and stair cores; the reconfiguration of the existing basement car park at level -01 to provide additional secure cycle parking spaces, EV car charging facilities at five number existing car parking spaces; an elevator lift pit and removal of a now redundant stair core. The development will also include signage; internal wayfinding; public lighting; plant and associated screening; all piped infrastructure and ducting; services provision; boundary treatments; hard and soft landscaping; changes in elevation including the provision of an additional residential balcony at Level +02; site services; public realm improvements; green roofs; and all associated site development and excavation works above and below ground. In the interest of clarity, the existing two number storey flat archway, which serves the Beacon Court internal courtyard for general pedestrian access, drop offs, deliveries and emergency vehicle access to Beacon Court from Blackthorn Drive will remain in place in the new proposal and will continue to serve the general population of Beacon Court and no changes are proposed to existing access arrangements, internal roads and pathways. All at The Beacon Hotel, Beacon Court, Sandyford Business Park, Dublin, as revised by the further public notice received by the planning authority on the 15th day of December, 2021.

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.

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Reasons and Considerations

Having regard to the zoning of the site and the relevant provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 including the Sandymount Urban Framework Plan and specific local objective 63 which seeks to improve, encourage and facilitate the provision and expansion of the Beacon campus; the rationale provided for the demolition of the existing hotel building in respect of the particular requirements to achieve the necessary floor-to-ceiling heights to facilitate the extension; the limited extended floor area; the pattern of development in the vicinity; the availability of public transport connections within the area; and availability of a cycle network in the area: 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, would not be prejudicial to public health, and would be acceptable in terms of traffic and pedestrian safety. 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 received by the planning authority on the 15th day of December 2021, 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. Details including samples of the materials, colours and textures of all the external finishes to the proposed building (including signage) shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

3. All of the floor-to-ceiling glazing within the ground-floor waiting/seating area (addressing Blackthorn Drive) shall be in permanent clear glazing only.

Reason: To ensure the development contributes to active street frontage at this location, in the interests of visual amenity and safety.

4. All air-handling for any cooking areas within the first-floor café unit shall be ducted within the building to either basement or roof-level extractors.

Reason: To ensure that fumes from food preparation/cooking do not cause nuisance to residents of adjoining apartments.

5. Prior to commencement of development, the applicant 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.

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6. Details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally constituted management company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation. The management scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas.

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

7. Any alterations to the public road shall be in accordance with the requirements of the planning authority and where required, all repairs to the public road and services shall be carried out to the satisfaction of the planning authority at the applicant's expense.

Reason: In the interests of clarity, public safety and amenity.

8. Prior to the occupation of the development, a Mobility Management Plan/Residential Travel Plan 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 car-pooling by residents/occupants/staff employed in the development and to reduce and regulate the extent of parking. The plan shall be prepared and implemented by the management company for all uses within the development.

Reason: In the interests of encouraging the use of sustainable modes of transport and reflecting the needs of pedestrians and cyclists.

9. Drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

10. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

11. 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 demolition and construction practice for the development, including noise/dust/vibration management measures and a public liaison plan.

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

12. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances, where prior written approval has been received from the planning authority.

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

13. No additional development, including lift-motor enclosures, air-handling equipment, storage tanks, ducts, solar arrays or other external plant, telecommunication aerials, antennae or equipment, shall take place outside of the identified roof plant areas on Drawing Number 1945-2209 Revision *, received with the application on the 20th day of August, 2021, 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.

14. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.



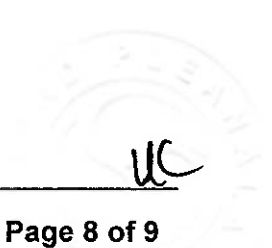
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15. A plan containing details for the management of waste (including clinical waste) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

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 provision and satisfactory completion of footpaths and drains, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory completion or maintenance of any works on Drummartin Link Road or Blackthorn Drive. The form and the 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 works on the public road network, in the interest of traffic and pedestrian safety.



17. 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 the 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 the 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.



Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 21st day of November 2023