

An
Bord
Pleanála

Board Order
ABP-317340-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4863/22

Appeal by Pat O'Sullivan care of RMLA Limited of Unit 3B, Santry Avenue Industrial Estate, Santry Avenue, Santry, Dublin and by The Estate of Fergus Behan care of RMLA Limited of Unit 3B, Santry Avenue Industrial Estate, Santry Avenue, Santry, Dublin against the decision made on the 19th day of May, 2023 by Dublin City Council to grant subject to conditions a permission to North City Dental Properties care of Patrick Joyce Associates of 2 Prospect Grove, Stocking Lane, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing single storey annex to side of premises, provision of single storey extension with wheelchair access to rear of existing premises, consisting of new surgery room, wheelchair accessible WC, staff room and ancillary dental services facilities, associated internal alterations to ground floor of existing dental surgery, provision of new two-storey structure to side of premises to provide separate access to existing first floor area (residential), reinstatement of use of existing first floor dental surgery room to residential purposes, ancillary site works and car parking facilities, all at 1 Tonlegee Road, Coolock, Dublin.

P.C.

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.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, the 'Z1' Sustainable Residential Neighbourhoods zoning objective where both 'medical and related consultants' and 'residential' development is permitted in principle, the pattern of development in the area, the fact that the proposed development is for modifications to existing and established uses on the site, and the design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area by way of overshadowing, overlooking or overbearance, would not result in a traffic hazard, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 20th day of February 2023 and on the 24th day of April, 2023, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The first-floor apartment shall be amended to provide a double bedroom with capacity for two persons, kitchen/living room and storage, all in accordance with the minimum requirements of the Apartment Guidelines (December 2022). Revised drawings 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 interest of residential amenity.

3. The full extent of the rear extension (including the compressor unit room) shall be separated from the adjoining property to the south east by 900 millimetres.

Reason: In the interest of adjoining residential amenity.

P. C. S.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Details of all signage relating to the proposed development shall be submitted to, and agreed in writing with, the planning authority, within three months of the date of this Order.

Reason: In the interest of visual amenity.

6. Safe and secure bicycle parking spaces shall be provided within the site for staff and patrons prior to the occupation the proposed dental extension.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

7. Parking for the proposed development shall be provided in accordance with a detailed parking layout which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The layout shall provide for seven number parking spaces and shall clearly identify the location of the proposed disabled parking space.

Reason: To ensure that adequate off-street parking provision is available to serve the proposed development.

8. Boundary treatment to the front of the building along the roadside and access arrangements shall be agreed in writing with the planning authority.

Reason: In the interest of improved traffic safety.

9. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

10. The demolition and construction of the proposed development shall be managed in accordance with a Demolition and Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide, inter alia, details and locations of proposed construction compounds, details of intended construction practice for the proposed development, including noise management measures, details of arrangements for routes for construction traffic, parking during the construction phase, and off-site disposal of construction/demolition waste and/or by-products.

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

11. Water supply and drainage arrangements, including the attenuation and disposal of surface water which shall also provide for appropriate Sustainable Urban Drainage Systems (SuDS), shall comply with the requirements of the planning authority for such works and services. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

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

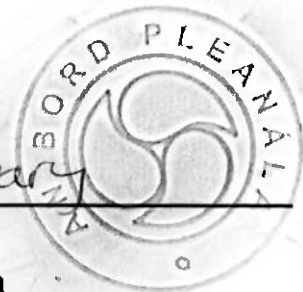
Reason: In order to safeguard the residential amenities of property in the vicinity.

13. 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 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.


Patricia Calleary

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



Dated this 14th day of November 2024.