



An
Bord
Pleanála

Board Order ABP-319786-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0749

Appeal by Philip Ennis of Tullybeg, 9 Ballygihen Avenue, Sandycove, County Dublin and by Others against the decision made on the 1st day of May, 2024 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Richie and Michele Power of SCA Planning of 17A Bridgecourt Office Park, Walkinstown Avenue, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a one to three storey office building of circa 296 square metres, bicycle parking, bin storage and associated site works and services, at the rear of 49 Sandycove Road, Sandycove, County Dublin.

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 location and character of the site and surrounding area in a serviced urban area together with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 including the 'NC' zoning objective for the area, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable. The development would comply with local design guidance and would not seriously injure the visual or residential amenity or the built heritage of the area. 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 5th day of April 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of construction, the developer shall submit, for the written agreement of the planning authority (Transportation Planning), the following documents demonstrating accordance with the requirements of Dún Laoghaire-Rathdown County Council's Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018):
 - (a) a detailed layout drawing indicating that a minimum of four number of the proposed six number cycle parking spaces shall be provided as covered, secure (restricted access) staff (long stay) cycle parking spaces,
 - (b) a detailed layout drawing indicating the provision of lockers and drying facilities in the proposed development for staff.

Reason: To align with the National Transport Authority's Active Travel Programme.

3. The 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 details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

4. A revised Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to commencement of development. The CEMP shall include but not be limited to construction phase controls for traffic management, dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, complaints management procedures, public liaison and project roles and responsibilities.

Reason: In the interest of environmental protection.

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

Reason: In the interest of clarity.

6. The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network prior to commencement of development.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

7. 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.



Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 14th day of May 2025