

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: LRD6044/24-S3A

Appeal by Chadwicks Group Limited of Ashfield, Naas Road, Clondalkin, Dublin against the decision made on the 12th day of June 2024 by Dublin City Council to grant, subject to conditions, a permission to Dwyer Nolan Developments Limited care of Armstrong Fenton Associates of 13 Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for a Large-Scale Residential Development (LRD) on this site which provides for 321 number apartments, comprised of 104 number one-bed, 198 number two-bed, and 19 number three-bed dwellings, in four number seven to thirteen storey buildings, over basement level, with three number retail units, a medical suite/GP Practice unit and community/arts and culture space (total circa 1,460 square metres);

(1) Demolition of the existing building on site, that is, the existing Chadwicks Builders Merchants (circa 4,196.8 square metres);

(2) construction of 321 number one, two and three bed apartments, retail units, medical suite/GP Practice, community/arts and culture space, and a one storey residential amenity unit in four number buildings that are subdivided into Blocks A-G as follows: Block A is a 7-13 storey block, consisting of 51 number apartments, comprised of 22 number one-bed, 23 number two-beds and six number three-bed dwellings, with two number retail units located on the ground floor (circa 132 square metres and 172 square metres respectively). Adjoining same is Block B, which is a seven-storey block, consisting of 38 number apartments, comprised of six number one-bed, 26 number two-bed, and six number three-bed dwellings, with one number retail unit (circa 164 square metres) and one number medical suite/GP Practice unit located on the ground floor (circa 130 square metres). Refuse storage areas are also provided for at ground floor level. Block C is a seven-storey block, consisting of 53 number apartments, comprised of 14 number one-bed and 39 number two-bed dwellings. Adjoining same is Block D, which is an eight-storey block, consisting of 44 number apartments, comprised of 22 number one-bed, 15 number two-bed, and seven number three-bed dwellings. Ground floor, community/arts and culture space (circa 583 square metres) is proposed in Blocks C and D, with refuse storage areas also provided for at ground floor level. Block E is an eight-storey block, consisting of 49 number apartments, comprised of seven number one-bed and 42 number two-bed dwellings. A refuse storage area, substation, and switchroom are also provided for at ground floor level. Adjoining same is Block F, which is a seven-storey block consisting of 52 number apartments, comprised of 13 number one-bed and 39 number two-bed dwellings. Ground floor, community/arts and culture space (circa 877 square metres) is proposed in Blocks E and F. Block G is a seven-storey block, consisting of 34 number apartments, comprised of 20 number one-bed and 14 number two-bed dwellings. A refuse storage area and bicycle storage area are also provided for at ground floor level;

(3) construction of a one storey residential amenity unit (circa 166.1 square metres) located between Blocks A and D;

(4) construction of basement level car park (circa 5,470.8 square metres), accommodating 161 number car parking spaces, 10 number motorbike parking spaces and 672 number bicycle parking spaces. Internal access to the basement level is provided from the cores of Blocks A, B, C, D, E, and F. External vehicular access to the basement level is from the south, between Blocks B and C. 33 number car parking spaces and 58 number bicycle parking spaces are also provided for within the site at surface level;

(5) public open space of circa 1,791 square metres is provided for between Blocks C-D and E-F. Communal open space is also proposed, located between (i) Blocks E-F and G, (ii) Blocks A-B and C-D, and (iii) in the form of roof gardens located on Blocks A, C, and F and the proposed residential amenity use unit, totalling circa 2,986 square metres. The development includes for hard and soft landscaping and boundary treatments. Private open spaces are provided as terraces at ground floor level of each block and balconies at all upper levels;

(6) vehicular access to the development will be via two number existing/permitted access points: (i) on Santry Avenue in the north-west of the site (ii) off Swords Road in the south-east of the site, as permitted under the adjoining Santry Place development (planning authority reference 2713/17);

(7) the development includes for all associated site development works above and below ground including but not limited to bin and bicycle storage, plant (M and E), sub-stations, public lighting, servicing, signage, surface water attenuation facilities, all on a site circa 1.5 hectares, located at the junction of Santry Avenue and Swords Road, Santry, Dublin 9. The development site is bounded to the north by Santry Avenue, to the east by Swords Road, to the west by Santry Avenue Industrial Estate, and to the south by the permitted

Santry Place development (granted under Dublin City Council Reference 2713/17 (as extended under planning authority references 2713/17/X1), 2737119 and 4549/22).

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

The Board had regard to the following:

- (a) the location of the site in the established urban neighbourhood area of Dublin City, which is zoned Z3 in the Dublin City Development Plan 2022-2028 which seeks 'to provide for and improve neighbourhood facilities' and where residential development is a permitted use;
- (b) the policies and objectives of the Dublin City Development Plan 2022-2028 including the criteria set out in Appendix 3 of the development plan relating performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale;
- (c) Housing for All – A Housing Plan for Ireland (2021);
- (d) Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024);

- (e) Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments (2022);
- (f) Urban Development and Building Heights, Guidelines for Planning Authorities (2018);
- (g) the Design Manual for Urban Roads and Streets (DMURS) (2013);
- (h) Planning System and Flood Risk Management (including the associated Technical Appendices) (2009);
- (i) the Climate Action Plan 2024;
- (j) the nature, scale and design of the proposed development;
- (k) the availability in the area of a wide range of social, community, transport and water services infrastructure;
- (l) the pattern of existing and permitted development in the area,
- (m) the submissions and observations received; and
- (n) the report of the inspector.

The Board also considered that the higher density proposed at this specific location was acceptable due to:

- (i) The evolving and changing character of the immediate area, and given the density of the adjacent permitted and built development at the edge of Santry village, which is more reflective of a City Urban Neighbourhood rather than a Suburban /Urban Extension as designated in the in the Sustainable and Compact Settlements Guidelines for Planning

Authorities (2024). Therefore, residential densities in the range of 50 to 250 dwellings per hectare (as set out in Table 3.1 of these Guidelines) is considered to be acceptable.

- (ii) The existing number of high frequency bus services available, and the site's location contiguous to a planned bus-connects corridor along the Swords Road which will accentuate further high frequency urban bus services and will therefore facilitate higher density development.
- (iii) The Board agreed with the inspectors conclusion that proposed development meets the performance criteria set out in Appendix 3 of the development plan in relation to assessing proposals for increased height density and scale.
- (iv) The generally high quality design, layout and disposition of scheme, which provides high quality accommodation and amenity for future occupants and does not give rise to any significant amenity issues in terms of overlooking or overshadowing of adjoining developments, together with the fact that the development complies and in many cases comfortably exceeds the standards set out in the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments (2022).
- (v) Precedent decisions in the immediate area that incorporated densities similar to that sought under the current application.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening (AA):

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale, and location of the proposed development adjoining the serviced urban area, the nature of the receiving environment, the distances to the nearest European sites and the hydrological pathway considerations, the Appropriate Assessment documentation submitted with the application, the incorporation within the proposal of best-practice standard measures which have not been specifically designed or intended to avoid or reduce any harmful effects of the project on a European Site, the submissions and observations on file, the reports of the planning authority, and the Planning Inspector's report.

In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of potential significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the site's Conservation Objectives and that a Stage 2 Appropriate Assessment is not, therefore, required.

The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on European Site; North Dublin Bay Special Area of Conservation (Site Code 000206), South Dublin Bay Special Area of Conservation (Site Code 000210), North Bull Island Special Protection Area (Site Code 004006), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024), Northwest Irish Sea Special Protection

Area (Site Code 004236) or any other European site, in view of the sites Conservation Objectives.

This screening determination is based on the following:

- (i) the conservation objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, and
- (iii) the distance from the proposed works.

Environmental Impact Assessment

The Board completed an Environmental Impact Assessment of the proposed development, taking into account:

- (a) the nature, scale, location, and extent of the proposed development;
- (b) the Environmental Impact Assessment Report and associated documentation submitted with the application and the appeal response;
- (c) the content of the appeals, the reports of the planning authority, and the submissions received from third parties, observers and prescribed bodies; and
- (d) the report of the Planning Inspector.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects

of the proposed development on the environment. The Board is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

The Board agreed with the summary and examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the planning application. The Board is satisfied that the Inspector's report sets out how these were addressed in the assessment and recommendation, including environmental conditions, and these are incorporated into the Board's decision.

Reasoned Conclusions on the Significant Effects:

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:

- **Population and Human Health:** A positive impact with regard to population and material assets due to the increase in housing stock and facilities that would be made available in the area. Construction related disturbance including noise, dust, dirt, and traffic, which would be mitigated by construction management measures including the agreement of a Construction Environmental Management Plan, a Construction Traffic Management Plan, and a Resource and Waste Management Plan.
- **Traffic and Transport:** Potential for moderate short-term negative impacts in terms of construction traffic will be mitigated as part of a construction management plan. There will be no significant negative impact on traffic junctions in the immediate area in the operational phase

and any potential impact will be mitigated by way of design and implementation of a Mobility Management Strategy for the development.

- **Biodiversity:** Disruption to birds and bats due to the construction works, lighting, dust, and the loss of vegetation. This will be mitigated by the employment of good practice construction measures to reduce disruption, including pre-construction surveys and monitoring by the project ecologist, and by the design of the proposed scheme (including lighting and landscaping) which will retain and protect important habitats, and features. Impacts on water quality and the aquatic environment as a result of silt laden and contaminated runoff, which will be mitigated by standard good practice construction stage measures and the operational surface water drainage system.
- **Water:** Construction stage impacts on groundwater and surface water quality, which will be mitigated by standard good practice construction stage measures including a Construction Environmental Management Plan. Operational stage surface water discharges to groundwater including associated downstream impacts on biodiversity, which will be mitigated by the implementation of suitably designed Sustainable Urban Drainage System (SuDS) measures.
- **Air and Climate:** Potential negative effects arising from noise and air during the construction and operational phases, which will be short term in nature and will be mitigated by appropriate construction management and design measures outlined in the relevant section of the EIAR. Operational effects will be longer term but will be mitigated through design and operational practices and are not considered to be significant.
- **Material Assets:** Disturbance of recorded and unrecorded archaeological features as a result of construction stage excavation and groundworks, which will be mitigated by a range of measures including

the retention/protection of important features, further archaeological testing and monitoring, and the recording of archaeological remains.

- **Landscape:** There will be changed views from various locations given the change from a largely low-rise commercial site to a high rise primarily residential development. The site is zoned for development and the proposal is not expected to involve the introduction of new or uncharacteristic features into the local or wider landscape character setting, relative to what exists and is under construction in the immediate and wider area. The potential impact will be positive. Changes to the localised landscape character associated with the development of this site, which will be mitigated by the design and layout of the proposed development.

The Board is, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative effects on the environment.

Conclusions on Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Dublin City Development Plan 2022-2028, the proposed development would constitute an acceptable density of development in this serviced 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 and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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 18th 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. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), shall be implemented.

Reason: To protect the environment.

3. The proposed development shall be amended as follows:
 - (a) A creche/childcare facility shall be incorporated at the ground floor of Block C of sufficient size to cater for a minimum of 58 childcare spaces. Details of the layout and access arrangements to the facility shall be agreed in writing with the planning authority prior to the commencement of development.
 - (b) The three commercial units in Block A shall not be used for the sale of hot food off the premises (that is, as a takeaway) unless authorised by a further grant of permission.

- (c) Commercial Units in Block A shall be utilised as retail units.
- (d) Details of all signage, lighting (if any) of all ground floor units shall be submitted and hours of operation.

Revised drawings and full details showing compliance with these above requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of residential amenity and to provide for an appropriate mix of uses in this neighbourhood centre (Z3 – Zoned) site and provide an adequate standard of residential amenity for future residents of the scheme and improve the amenities of the area.

- 4. Prior to commencement of development, the developer shall liaise with the planning authority in consultation with the National Transport Authority (NTA) to ensure that the proposed development and phasing of works comply with the requirements of the Bus Connects/Core Bus Corridor (CBC) Swords to City Centre with regard the lands required to facilitate the CBC on Swords Road and Santry Avenue.

Reason: To ensure a satisfactory standard of development and in the interest of traffic safety.

- 5. In the context of the proposed apartment blocks, 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 otherwise agreed in writing with the planning authority.

Reason: To protect the visual amenities of the area.

6. 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 and surface water management.

7. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

8. Prior to the commencement of the development and in consultation with the Dublin City Arts Office, the developer shall provide details, for the written agreement of the planning authority, indicating the proposed use and future management of the arts/culture/community spaces. The community, arts and cultural space shall be fully accessible to the public. Details regarding intended hours of operation and a schedule for opening the space as part of the overall development shall be submitted, for written agreement, to the planning authority prior to the commencement of Block D. All works to ensure the community, arts and cultural space is operational shall be undertaken at the developer's own expense.

Reason: In the interest of residential amenity and to ensure the timely provision of services.

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

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

10. Prior to the commencement of development on site the developer is required to engage with DAA/Dublin Airport and with the Irish Aviation Authority to agree any proposals for crane operations (whether mobile or tower crane).

Reason: To maintain safe air navigation.

11. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of the agreed landscaping plan. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

12. 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.

Reason: In the interest of visual and residential amenity.

13. 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. Prior to commencement of any development on the overall site, details of the first phase shall be submitted to, and agreed in writing with, the planning authority.

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

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

Reason: In the interest of environmental protection.

15. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 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.

16. 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 for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan. This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

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

17. During the operational phase of the proposed development the noise level shall not exceed
- (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
 - (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times as measured at the nearest noise sensitive location

Procedures for the purpose of determining compliance with this limit 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 of the site.

18. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. 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 reducing waste and encouraging recycling.

19. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

20. Prior to the opening/occupation of the development, a Mobility Management Plan (MMP) 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 and walking by residents/occupants/staff employed in the development. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

21. (a) 740 number safe and secure bicycle parking spaces shall be provided within the site. Provision should be made for a mix of bicycle types including cargo bicycles and individual lockers. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Electric charging points to be provided at an accessible location for charging cycles/scooters/mobility scooters. Details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

22. The development hereby permitted shall be carried out and completed at least to the construction standards set out in the planning authority's Taking in Charge Policy. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

23. (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs, and the underground car park shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).
- (b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

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

24. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. The clearly identified car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.
- (b) A number of parking spaces shall be reserved for persons with physical disabilities which shall not be less than the dimensions set out in the document Building for Everyone: A Universal Design Approach (The Centre for Excellence in Universal Design CEUD). Details to be agreed with the planning authority prior to commencement of work on site.
- (c) Prior to the occupation of the development a Car Park Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority. This plan shall

provide for the permanent reservation of the designated residential parking spaces and shall indicate how these and other space within the development shall be assigned, segregated by use and how the car park shall be continually managed.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units (and the remaining development) and also to prevent inappropriate commuter parking.

25. The landscaping scheme as submitted to the planning authority shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development (or until the development is taken in charge by the local authority, whichever is the sooner), shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

26. The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be

present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

27. 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 commencement of development.

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

28. Proposals for an apartment name/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 apartment 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/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 urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

29. 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 transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall 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 for the area.

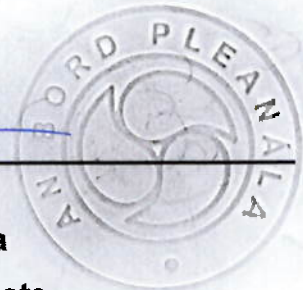
30. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. 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 that the public road is satisfactorily reinstated, if necessary.

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



Dated this 23rd day of October, 2024.