

An
Coimisiún
Pleanála

Commission Order
ABP-321199-24

Planning and Development Act 2000, as amended

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0651/WEB

Appeal by Adrian Rahman and others care of 12 Dixon Villas, Glathule, County Dublin against the decision made on the 14th day of October, 2024 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to GLSRD1217 Limited care of Thornton O'Connor Town Planning of 1 Kilmacud Road Upper, Dundrum, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing single storey and two-storey buildings (674 square metres) and the construction of a mixed-use development (1,186.7 square metres) of two number buildings ranging in height from one to four storeys. The uses comprise eight number two-bed later-living residential units, a restaurant unit (168.4 square metres), a retail unit (91.05 square metres) and a medical centre (136.4 square metres). The development also comprises cycle parking, bin stores, hard and soft landscaping, including communal open space, balconies/terraces facing north, east and west, green roofs, fascia-level signage for the retail, restaurant and medical units, plant, and all site development works above and below ground, all on a site of 0.0746 hectares at numbers 12-17 Glathule Road, Glathule, 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

The Commission made its decision consistent with:

- the Climate Action and Low Carbon Development Act 2015, as amended, and
- the Climate Action Plan 2024 and Climate Action Plan 2025.

Having regard to Section 13.1.2 (Transitional Zonal Areas) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, Objective PHP20 (Protection of Existing Residential Amenity), the NC – Neighbourhood Centre zoning of the site, and relevant National Guidelines, and having regard to the location of the site in an established urban area within walking distance of public transport, and the nature, form, scale, density and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an acceptable standard of residential and commercial uses, and would not seriously injure the residential, visual or environmental amenities of the area. The proposed development 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, 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. Prior to commencement of development, the developer shall submit revised drawings for the written agreement of the planning authority showing alternative designs to the internal areas and elevations of the apartment units A & D, B & C, and F & G, to ensure that the proposed development will not result in undue overlooking effects. Methods to be considered are the creation of winter gardens, partial or wholly obscured glazing, minor relocation of fenestration and/or high-level windows.

Reason: In the interest of residential amenity.

3. An unobstructed pedestrian/cycle access to and from Devitt Lane and Glashule shall be maintained at all times. Prior to occupation of the units, there shall be no physical or operational impediment to such movements within the site.

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

4. Details of the hours of operation of the proposed restaurant, retail use and medical facility shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In order to safeguard the residential amenity of properties in the vicinity.

5. Security shutters, if required, shall be located behind the windows and shall be of the lattice see-through type. Full details in this regard shall be submitted to the planning authority for agreement.

Reason: In the interest of visual amenity.

6. The roof areas shall not be accessible except for maintenance purposes only.

Reason: In the interest of residential amenity.

7. The disposal of surface water, including SuDS measures, 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.

8. Prior to commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

9. The developer shall submit revised drawings of the layout and details of cycle parking spaces to serve the proposed development. Details in this regard 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.

10. The developer shall submit to the planning authority a detailed walkability/access audit which assesses the proposed development in the context of the principles of universal design and equitable use. Any issues identified in the audit shall be addressed in revised drawings to be submitted to the planning authority, including the following items:
- (a) Measures which prevent private vehicles from entering the proposed development for parking purposes from Glasthule Road.
 - (b) The removal of footpath dishing to Glasthule Road.
 - (c) The provision of tactile paving or other such measures to delineate the transition from the proposed pedestrian area to the carriageway onto the public road (access lane to the rear).

- (d) Contrasting pavement/cycle parking stand colour in order to improve visibility of same, with tapping rails to be installed to outdoor cycle parking.

Reason: To ensure that the principles of universal design and equitable use are adhered to.

11. 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.

12. 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. The finishes shall incorporate the use of render, to harmonise with neighbouring windows, and the finishes to the balconies shall be of fixed glass panels of a minimum height of 1,100 millimetres.

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

13. Prior to commencement of development, the developer shall agree in writing with the planning authority details for the external signage associated with the three number commercial units, and the apartment numbering scheme. Thereafter, all street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. 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 visual amenity.

14. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the planning 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 commencement of development.

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

15. 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 amenities of property in the vicinity.

16. A 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 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, residential amenities, public health and safety and environmental protection.

17. Prior to commencement of development, a plan shall be submitted to, and agreed in writing with, the planning authority for the management within the development of waste materials. This plan shall include arrangements for the storage, separation and collection of the waste, including recyclable materials, and arrangements for the internal and external segregation, storage and disposal of medical waste. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

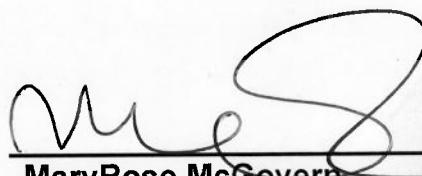
Reason: To provide for the appropriate management of waste in the interest of public health and protecting the environment.

18. 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 of footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the planning 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 Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

19. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

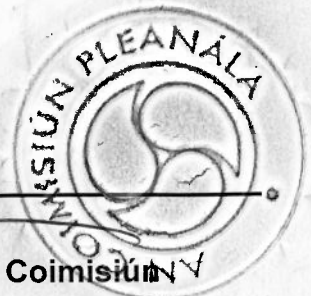
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 20th day of October 2025.