



An  
Coimisiún  
Pleanála

Commission Order

ABP-323664-25

**Planning and Development Act 2000, as amended**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEBLRD6073/25-S3B**

**Appeal** by Kimmage Dublin Residents Alliance care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 19<sup>th</sup> day of August, 2025 by Dublin City Council to grant subject to conditions a permission to 1 Terenure Land Limited care of McGill Planning of 9 Pembroke Street Upper, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Planning permission for a Large-Scale Residential Development (LRD). The proposal will consist of a residential development (circa 14,437 square metres gross floor area) providing 145 number apartments (70 number one-beds and 75 number two-beds) within five number blocks ranging in height up to five storeys. Blocks 4 and 5 are conjoined. A detailed breakdown of each block is as follows:

Block 1 ranges in height from three to four storeys and provides 30 number residential units.

Block 2 ranges in height from three to five storeys and provides 38 number residential units.

Block 3 ranges in height from three to five storeys and provides 37 number residential units.

Block 4 ranges in height from three to four storeys and provides 22 number residential units.

Block 5 ranges in height from three to four storeys and provides 18 number residential units.

All residential units will be provided with associated private open spaces, in the form of balconies and terraces, to the north/south/east/west. A creche (circa 210 square metres plus external space of circa 130 square metres) and community culture and arts space (circa 813 square metres) are proposed within Blocks 4 and 5. Vehicular/pedestrian/cyclist accesses will be provided from Kimmage Road West, via the existing access route to Carlisle Health and Fitness Centre/BD Gym. This road will be extended into the site. The proposal will include 89 number car parking spaces, 465 number cycle parking spaces and six number motorcycle parking spaces at surface and undercroft level (located under Blocks 1, 2 and 3), public and communal open spaces, roof gardens, landscaping, boundary treatments, plant areas, waste management areas, and services provision (including ESB substations) and all associated works required to enable this development. The development will also include upgrades by Uisce Éireann to the network along Kimmage Road West at this site at 'Carlisle', Kimmage Road West, Dublin in the Electoral Division of Kimmage E. The site is located to the south of Captain's Road, west of Brookfield Green, east of Park Crescent, north and east of Carlisle Health and Fitness Centre/BD Gym and north of the Nora Dunne Gallery.

## **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 reached its decision in accordance with its duties under Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended, and the requirement to, in so far as practicable, perform its functions in a manner consistent with, *inter alia*, the Climate Action Plan 2024 and 2025 and the furtherance of the national climate objective.

Having regard to:

- (i) the site's location on lands with a zoning objective 'Z1 – Sustainable Residential Neighbourhoods' with the objective: 'To protect, provide and improve residential amenities' in the Dublin City Development Plan 2022 - 2028 in respect of residential development;
- (ii) a section of the site is located on lands with a zoning Objective 'Z10 - Inner Suburban and Inner City Sustainable Mixed-Uses' with the objective: 'To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses' in the Dublin City Development Plan 2022 – 2028;
- (iii) the nature, scale and design of the proposed development which is consistent with the provisions of the development plan and appendices contained therein;
- (iv) Delivering Homes, Building Communities 2025 - 2030: An Action Plan on Housing Supply and Targeting Homelessness;
- (v) the provisions of the National Biodiversity Action Plan 2023 - 2030, which have been considered;
- (vi) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024);
- (vii) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025;
- (viii) the Climate Action Plan 2024 and the Climate Action Plan 2025;

- (ix) the availability in the area of a wide range of social and transport infrastructure;
- (x) the pattern of existing and permitted development in the area;
- (xi) the Planning Report and supporting technical reports of Dublin City Council;
- (xii) the submissions and observations received; and
- (xiii) the Inspectors report;

it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development on this serviced and zoned site, would accord with the provisions of the Dublin City Development Plan 2022 - 2028 in support of compact growth and densification, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, and would be acceptable in terms of urban design, height and density as well as traffic and pedestrian safety and flood risk. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Appropriate Assessment**

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment which comprises a site in an established urban area, the distances to the nearest European sites and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation and the Inspector's report.

In completing the screening exercise, the Commission agreed with and adopted the report of the Inspector and considered that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

## **Environmental Impact Assessment**

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- The nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended;
- Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended;
- The location of the site on lands governed by zoning objective Z1, 'To protect, provide and improve residential amenities' and Z10, 'To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses' in the Dublin City Development Plan 2022 – 2028;
- The existing use on the site and pattern of development in surrounding area;

- The planning history relating to the site;
- The availability of mains water and wastewater services to serve the proposed development;
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended); and
- The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction Management Plan,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

## Conditions

1. The 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended to provide screening to a height of 1.5 metres to all balconies above the ground floor level in the western elevation of Block 1, the eastern elevation of Blocks 4 and 5 and the northern side of all balconies facing the boundary with the houses on Captain's Road. These screens to be designed to prevent overlooking but shall allow for sunlight penetration. 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 developer shall implement in full the recommendation of the Ecological Impact Assessment and the Biodiversity Management Plan.

**Reason:** In the interests of ecology and biodiversity development.

4. Full details of the occupation of the cultural/community/cultural space shall be provided by the developer/occupier for the written agreement of the planning authority prior to occupation of this space. Details to include the nature of the occupation, indicative layout, date of first occupation, intended hours of use and full details of noise mitigation measures where required by the planning authority.

**Reason:** In the interests of residential amenity and of community/cultural infrastructure provision.

5. (a) All elevations shall be finished in brick or similar material but shall not include the use of self-coloured or coloured render.  
(b) Details of the materials, colours, and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of clarity and visual amenity.

6. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all such names and numbering 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.

7. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the proposed buildings (or within the curtilage of the site) in such a manner as to be visible from outside the buildings, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

8. The creche shall be completed to a fully operational standard prior to occupation of 75% of the proposed development, unless otherwise agreed with the planning authority.

**Reason:** In the interests of amenity and social infrastructure.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

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

10. 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 interests of visual and residential amenity.

11. (a) The road network serving the proposed development, including turning bays, the junction with Kimmage Road West, parking areas, footpaths and kerbs, access road to service areas, provision of suitable set-down/pick-up areas/service delivery areas and the undercroft car park shall be in accordance with the detailed construction standards of the planning authority for such works and the design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

- (b) Prior to commencement of the development, the developer shall submit revised plans detailing changes to the existing junction between the private access road and Kimmage Road West, which shall be agreed in writing with the planning authority. The updated plan drawing shall detail changes to the existing mouth of the junction to improve the pedestrian environment including the reduction of the width and radii of the junction to a maximum of two traffic lanes, one in-bound and one out-bound. All works to the public road shall be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council and shall be at the developer's own expense. All works shall be fully implemented prior to completion and occupation of the development.
  
- (c) A Stage 3 Road Safety Audit shall be completed in accordance with the requirements of Dublin City Council and the results submitted to the planning authority prior to occupation of the development.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

12. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development, as indicated, 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) Car parking for the creche and the community/cultural/art space shall be clearly identified for that purpose only.

(c) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

13. A minimum of 50% of all car parking spaces serving the apartment units should be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces.

**Reason:** To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

14. A total of 465 number bicycle parking spaces, room for cargo bicycles and e-bikes with suitable infrastructure, shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be provided to 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.

15. The developer shall implement in full the recommendations of the submitted Residential Mobility Management Plan which shall be overseen by an appointed Mobility Manager.

**Reason:** In the interest of promotion of sustainable transport.

16. 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 interests of public health and surface water management

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

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

18. (a) Prior to the commencement of development the landscaping plan shall be amended to include the provision of play spaces and seating areas in accordance with the requirements of the planning authority and shall be agreed in writing with the planning authority.  
  
(b) A fully qualified Landscape Architect, and a fully qualified Arborist shall be employed during the site clearance and landscaping phases of the development.

**Reason:** In the interests of residential and visual amenity.

19. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.  
  
(b) Details of the management company contract, and drawings/particulars describing the parts of the development for

which the 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.

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

20. The developer shall engage a suitably qualified and licensed archaeologist to carry out an Archaeological Impact Assessment (AIA) following consultation with the planning authority in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. 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 of places, caves, sites, features or other objects of archaeological heritage.

21. (a) 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 and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.
- (b) 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:** In the interest of residential amenity and to ensure the provision of adequate refuse storage.

22. 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 proper planning and sustainable development.

23. 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 construction practice for the development, including:

- (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) location of areas for construction site offices and staff facilities;
- (c) details of site security fencing and hoardings;
- (d) details of on-site car parking facilities for site workers during the course of construction;
- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) measures to obviate queuing of construction traffic on the adjoining road network;
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains; and

(m) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interests of amenities, public health and safety.

24. Site development and building works shall be carried out only between the hours of 0700 and 1900 hours Mondays to Fridays, 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.

25. 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 Coimisiún 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.

26. 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 and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance 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 and maintenance of the development until taken in charge.

27. 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.

Mary Gurrie  
Mary Gurrie

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 13 day of January 2026.

