

An
Coimisiún
Pleanála

**Commission Order
PL-500370-DN-25**

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2288/25

Appeal by Aventale Limited and by the Residents of Violet Hill against the decision made on the 3rd day of November, 2025 by Dublin City Council to grant, subject to conditions, a permission to Zirbac DLK Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: (i) removal of existing carpark, associated areas of hard-standing surface and construction materials on site; (ii) construction of a residential development within a new part five, part seven and part eight storey apartment building comprising 89 number apartments (34 number one-bedroom, 50 number two-bedroom and five number three-bedroom) all of which have direct access to private amenity space, in the form of a balcony or terrace, and shared access to two number external communal amenity spaces (cumulative area of 682 square metres) at ground and first floor levels; (iii) provision of 44 number vehicular parking spaces (including three number mobility parking spaces and 22 number electric charging spaces), three number motorcycle parking spaces, 214 number bicycle parking spaces, six number cargo bike spaces, bin stores, switch room and ESB substation at

ground/undercroft level; (iv) provision of one number new vehicular entrance and two number new pedestrian entrances to the development from Finglas Road and (v) all ancillary works including provision of public open space (386 square metres), landscaping, boundary treatments, provision of foul and surface water drainage, blue/green roofs and all site services, site infrastructure and associated site development works necessary to facilitate the development at site at the former Royal Oak Public House, Finglas Road and Old Finglas Road, Glasnevin, 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:

- (a) the site's location on lands predominantly zoned 'Z1' where residential development is 'permissible use',
- (b) the substance of the planning history of the site,
- (c) the policies and objectives in the Dublin City Development Plan 2022-2028,
- (d) the nature, scale and design of the proposed development which would make efficient use of an underutilised serviced brownfield site in an urban area of Dublin City,

- (e) the significant separation distance from existing residential development to the east, situate at a higher land level,
- (f) the daylight and sunlight assessment submitted with the application,
- (g) the prevailing context and the pattern of existing development in the surrounding area, and along the arterial roadway of the Finglas Road,
- (h) the details of existing childcare facilities, as set out in the applicant's planning report dated June 2025,
- (i) the relevant provisions of the National Planning Framework – First Revision (2025), the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), the Urban Development and Building Heights Guidelines for Planning Authorities (2018), and Guidelines for Planning Authorities – Design Standards for New Apartments (2023), and
- (j) the contents of the appeals received, and the respective responses from the applicant and the planning authority,

it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an acceptable residential density at this urban neighbourhood location, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, density, building height and overall quantum of development, and would be acceptable in terms of traffic and pedestrian safety. 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 further information submitted on the 7th day of October 2025, 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. 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.

3. The measures identified and contained within the submitted Ecological Impact Assessment (EclA), Invasive Species Management Plan, and all other plans and particulars submitted with the application shall be implemented in full, except where otherwise required by conditions attached to this permission.

Reason: In the interests of clarity, and of protecting the environment and public health.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of public health and surface water management.

5. The internal road network serving the proposed development, including turnabout areas, junctions with the public road, parking areas, footpaths and kerbs, home and signage, shall be in accordance with the detailed construction standards and requirements of the planning authority for such works and with the relevant provisions of the Design Manual for Urban Roads and Streets (DMURS). In default of agreement, the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

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

6. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts, or other external plant other than those shown on the drawings hereby approved unless authorised by a prior grant of planning permission.

Reason: To safeguard the amenities of surrounding occupiers and the visual amenities of the area in general.

7. 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.

8. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing existing trees which are proposed for retention, measures for the protection of these landscape features during the construction period; the species, variety, number, size and locations of all proposed trees and shrubs; the details of screen planting; green roof design; and, hard landscaping works, specifying surfacing materials, furniture (including play equipment) and finished levels.

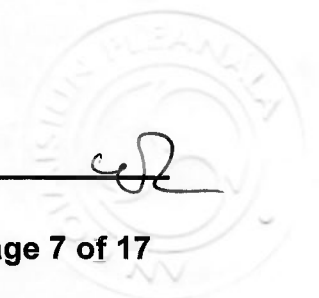
- (b) Specifications for any mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation including details of phasing.

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, 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 interests of residential and visual amenity.

- 9. (a) An accurate tree survey of the site, which shall be carried out by an arborist or landscape architect, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained.
- (b) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.

Reason: To facilitate the identification and subsequent protection of trees to be retained on the site, in the interest of visual amenity.



10. Any external lighting for the scheme shall comply with the recommendations for E3 locations as per the ILE's Guidance Note 1 for the Reduction of Obtrusive Light (2021), with bat-sensitive lighting techniques to be incorporated into the lighting plan for the proposed development to avoid or minimise effects on foraging bats.

Reason: In the interests of amenity and public safety, and wildlife protection.

11. Prior to the commencement of development, the developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann.

Reason: In the interest of public health.

12. (a) Residential car parking spaces shall be permanently allocated to residential use and shall not be sold, rented, or otherwise sub-let or leased to other parties.
- (b) The bicycle parking quantity shall be provided as per the bicycle parking standards of the Dublin City Development Plan 2022-2028 and shall comply with SPPR 4 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). Resident cycle parking spaces shall be secure, conveniently located, sheltered, and well lit. Key/fob access shall be required to resident bicycle compounds. All cycle parking design including visitor parking shall allow both wheel and frame to be locked. Electric bike charging facilities within the resident cycle parking areas shall be provided. All cycle parking shall be in situ prior to the occupation of the development.

Reason: To ensure that adequate car and bicycle parking facilities are available to serve the proposed development.

13. The construction of the development shall be managed in accordance with an updated Construction and Environmental Management Plan (CEMP) which shall be placed on the file and retained as part of the public record. 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. Hoardings shall include a one square metre area on each frontage detailing site management contact details,
 - (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 road network,
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any 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,
- (m) a record of daily checks that the works are being undertaken in accordance with the Construction and Environmental Management Plan shall be kept for inspection by the Planning Authority, and
- (n) a community liaison officer shall be appointed for the duration of the construction works.

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

14. (a) During the construction phase, the proposed development shall comply with British Standard 5228 ' Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'
- (b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

15. 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 Environmental Protection Agency'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.

16. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within 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.

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

17. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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 local authority.

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

18. If, during the course of site works any archaeological material is discovered, the City Archaeologist should be notified immediately. Further, it is obligatory under the National Monuments Act that the National Monuments Service, Department of Housing, Heritage and Local Government and the National Museum of Ireland are notified.

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed within the site in the course of development.

19. Proposals for a naming/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names 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 place names for new residential areas

20. 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.

21. 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 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 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 for the area.

22. The developer shall pay to the planning authority a financial contribution per unit as a contribution in lieu of a shortfall of the public open space requirement in accordance with the terms of the adopted 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 indexation provisions of the Scheme at the time of payment.

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

23. 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.

24. 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 accepted in writing by the planning authority, to secure the protection of the trees on site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development with others of similar size and species. 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.

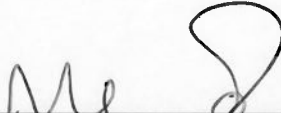
Reason: To secure the protection of trees on the site.

25. 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.

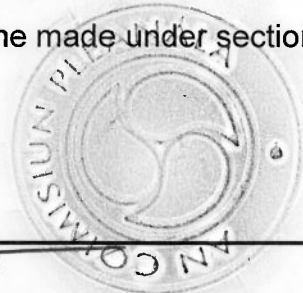
Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

26. The developer shall pay to the planning authority a financial contribution in respect of the extension of Luas Cross City Scheme, in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000. 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 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 that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.



Mary Rose McGovern



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

Dated this *8th* day of *April* 2026