

An
Coimisiún
Pleanála

Commission Order

PL-501291-DR-26

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0427/WEB

Appeal by Stephen Flood and by Others and by Melvin Properties Limited against the decision made on the 14th day of April, 2026 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to the said Melvin Properties Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) The demolition and removal of the existing 367 square metres dormer bungalow, (2) the construction of a 1,391 square metres family hub in a new building with elements one, two, three and four storeys containing 23 number accommodation units to house 100 people including all ancillary functions, kitchens, family and activity rooms, play and study rooms, laundry and staff rooms and (3) associated site work to include external play area, vehicular surfacing, nine number car parking spaces, bin store, 50 bicycle parking areas and associated canopies, new pedestrian

pathways, altered vehicular entrance gates, a new pedestrian entrance and railings to the public frontage, all at Spanish Point, Mart Lane, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the Objective 'A' zoning of the site "to provide residential development and improve residential amenity while protecting the existing residential amenities", to Policy Objective PHP32 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 which supports the provision of homeless accommodation throughout the County, to the nature and scale of the proposed development and the characteristics of the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be in accordance with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and 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 received by the planning authority on the 11th day of February, 2026 and clarification of further information received by the planning authority on the 18th day of March 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development, the developer shall submit to the planning authority for their written agreement:
 - (a) details of proposed green roofs,
 - (b) details of proposed bio-retention areas and SuDS measures,
and
 - (c) details of a dedicated buggy storage area at ground floor area.

Reason: In the interests of clarity and the proper planning and sustainable development of the area.

3.
 - (a) The proposed development shall be used solely for its stated and permitted use, namely as a family hub to accommodate persons experiencing homelessness so to facilitate their transition to stable housing.
 - (b) The proposed development provides for 18 family units to accommodate a maximum of 78 persons.
 - (c) There shall be no access onto green roofs/flat roof elements at upper levels, apart from that required for maintenance purposes.

Reason: In the interests of clarity, the proper planning and sustainable development of the area and to ensure effective control is maintained.

4. Prior to the commencement of the development, the developer shall submit for the written agreement of the planning authority, an updated site operational management plan for the development including a complaints procedure (with contact details for the management of the facility) available to local residents. The development shall be operated in accordance with the agreed site operational management plan.

Reason: To ensure the satisfactory ongoing management and maintenance of the development, and to protect the residential amenities of the area.

5. 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. Proposed external elevations shall have a brick finish.

Reason: In the interest of visual amenity.

6. Details of any external proposed signage, lighting and CCTV cameras shall be first submitted to the planning authority for written agreement. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interests of clarity, visual and residential amenity.

7. The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking arrangements, including facilities for the recharging of electric vehicles. In particular:
- (a) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.
 - (b) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii.

- (c) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works.
- (d) Parking shall be reserved for residents of the proposed development only. Spaces shall not be reserved for any individual or individual units.
- (e) 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 interests of traffic safety and convenience.

- 8. 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 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.

9. (a) Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.
- (b) Prior to the commencement of development, the developer shall submit to the planning authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit.
- (c) Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

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

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

11. Boundary treatments shall be strengthened and augmented adjacent communal open space, play facilities and car parking and the site shall be landscaped in accordance with a comprehensive scheme of landscaping, details for both of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The species, variety, number, size and locations of all

proposed trees and shrubs shall be agreed in writing with the planning authority, prior to the commencement of any works on site. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development or each phase of the development and any plant materials that die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: To ensure a satisfactory completion and maintenance of the development in the interests of residential amenity and protecting the environment.

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 interests of visual and residential amenity.

13. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no additional plant, solar/PV panels, machinery or telecommunications structures shall be erected on the roof of the proposed development. No fans, louvres or ducts shall be installed unless authorised by a further grant of permission.

Reason: To protect the visual amenity of the area.

14. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide, inter alia, details and location of proposed construction compounds, details of intended construction practice for the development, including working, noise and dust management measures, details of arrangements for routes for construction traffic, parking during the construction phase, and off-site disposal of construction/demolition waste.

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

15. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

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 shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the 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. 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 roads, footpaths, watermains, drains, 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 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.

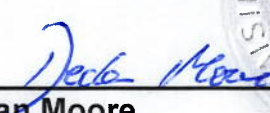
Reason: To ensure the satisfactory completion of the development.

18. (a) The developer shall pay to the planning authority financial contributions in respect of Surface Water, Roads, Community and Parks public infrastructure and facilities (i.e. conditions 21, 22 and 23 cited in the planning authority grant) 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 contributions 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.
- (b) Financial Contributions (above) shall be based on a 1,222.83 square metres development, the subject of this grant of permission.

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.

19. The developer shall pay to the planning authority a financial contribution in respect of the extension of Luas Line B1 – Sandyford to Cherrywood 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, 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.


Declan Moore

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

Dated this 13th day of August 2026