



An
Bord
Pleanála

Inspector's Report PL29S.247012

Development:	Demolition of sheds, construction of 5no. buildings accommodating 71no. apartments and all associated and ancillary site development works. Greenfield, Lands off Greenfield Park, Donnybrook, Dublin 4.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2210/16
Applicant(s)	Purleigh Holdings Ltd.,
Type of Application	Permission
Planning Authority Decision	Permission
Appellant(s)	1. Brenda Fives and Others 2. Greenfield Park Residents Group 3. Nutley Square Management Co.clg.
Observer(s)	1. Suzanne Glazer 2. Michael G.O'Connor
Date of Site Inspection	13 th of October 2016
Inspector	Angela Brereton

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1.0 Site Location and Description

- 1.1.1. The subject site is located within an established residential area accessed from Greenfield Park, Donnybrook, Dublin 4. Greenfield Park is a cul-de-sac accessed via the Stillorgan Road to the north. The lands previously the site of the Department of Horticulture, UCD comprised of numerous single storey glass houses and outbuildings which are now all removed or derelict. A number of hard standings and parts of a former surfaced access route into the site remain.
- 1.1.2. The rectangular shaped site is generally flat, with a gradual fall in level of approx.2m from the entrance to Greenfield Park to the residential development 'Thornfield' to the north east. The site is accessed via an existing vehicular laneway in the ownership of UCD with a right of way agreement in place with the land owner. It is of note that the proposed access road to the site is within Dun-Laoghaire Rathdown and is the subject of a separate concurrent appeal Ref. PL06D.246607 refers.
- 1.1.3. The area is predominantly residential in nature and there is a residential mix with higher density new build contrasting with the lower densities of the original houses in Greenfield Park. There are rubble stone and concrete block walls to the north west, north east and south east boundaries of varying heights. While there are trees and hedgerows around the site boundaries are no significant natural features within the site and it has a derelict overgrown appearance. A 15m wide way leave restricting development existing along the south eastern boundary of the site for the Siphonic Truck Sewer is shown on the drawings. There is pumping house to the southeast of the site within the UCD campus grounds.
- 1.1.4. The site is bounded to the North West by residential units on Airfield Park and Airfield Terrace; to the North East by residential units on Thornfield; to the South East by residential units on Greenfield Park (Nutley Square, Greenfield Manor, Donnybrook Green); to the South West by UCD playing fields.

2.0 Proposed Development

2.1.1. The proposed development comprises the following:

The demolition of the existing single storey sheds (670sq.m) and the construction of 5no. buildings accommodating 71no. residential apartments in total comprising of:

- **Block 1** Residential building (4 storeys with semi-basement car parking c.2,360sq.m gfa) accommodating 6no. 2 bed apartments, 6no. 3 bed apartments and 1no. 4 bed apartment, with associated balconies/terrace for each apartment from ground to further floor levels. Security/Concierge office (46sq.m) at ground floor. Total of 13no. apartments.
- **Block 2** Residential building (4 storeys with semi-basement car parking C.2192sq.m gfa) accommodating 12no. 2 bed apartments and 2no. 3 bed apartments, with associated balconies/terrace for each apartment from ground to fourth floor levels. Total of 14no. apartments.
- **Block 3** Residential building (4 storeys with semi-basement car parking c.2192sq.m gfa) accommodating 12 no. 2 bed apartments and 2no. 3 bed apartments, with associated balconies/terrace for each apartment from ground to fourth floor levels. Total of 14no. apartments.
- **Block 4** Residential building (4 storeys with semi-basement car parking c.2192sq.m gfa) accommodating 13 no. 2 bed apartments and 2no. 3 bed apartments, with associated balconies/terrace for each apartment from ground to fourth floor levels. Total of 15no. apartments.
- **Block 5** Residential building (4 storeys with semi-basement car parking c.2192sq.m gfa) accommodating 13 no. 2 bed apartments and 2no. 3 bed apartments, with associated balconies/terrace for each apartment from ground to fourth floor levels. Total of 15no. apartments.

- **Energy Centre** Construction of single storey flat roof 82sq.m plant room incorporating 1no. ESB substation and switch room (c.27sq.m) Construction of semi-basement car parking (c.2170sq.m) accommodating 75no. residential carparking spaces which includes 5no. universal access car parking spaces, 75no. secure bicycle spaces, stores (c.412sq.m), bin stores (c.95sq.m), 31no. visitor car spaces and 35no. visitor bicycle spaces provided at ground floor.
- All associated and ancillary site development and landscape works including; the existing vehicular entrance to the property from Greenfield Park will be widened and improved to serve the entire development (including integrated signage); Provision of internal routes for vehicular and pedestrians and cyclists; hard and soft landscape works; including changes in level and lighting; provision of amenity open space and children's play space; provision of boundary treatments; All other site excavation and development works above and below ground.

2.1.2. As per the planning application form the total site area is: 13,491sq.m (1.35ha).

The area of new build proposed is: 11,237sq.m.

The total floor area (new and retained) is: 11,283sq.m.

The floor area of buildings to be demolished is: 670sq.m.

The total non-residential floor area within the development is: 155sq.m

The proposed plot ratio is 0.89 and the proposed site coverage is 23%.

2.1.3. A breakdown of the residential mix provides that the residential mix proposed comprises: 56no. 2 bed apartments, 14no. 3 bed apartments, 1no. 4 bed apartment i.e. a total of 71 no apartments and 106no. car parking spaces. A Schedule of Accommodation has been submitted, providing details of the floor areas relevant to each apartment in Blocks 1 – 5. This includes a gross internal floor area schedule for the blocks and the Energy Centre/ESB Substation (109sq.m). Details are also

included relevant to basement (resident) and surface (visitor) car and bicycle parking.

2.1.4. De Blacam and Meagher Architects have submitted this application on behalf of the applicants Purleigh Holdings Ltd. They note that they are engaged in Part V discussions with DCC and that an agreement in principle has been reached. They include a Planning Report (dated January 2016) with the application. This has regard to locational context, compliance with planning policy and provides a rationale and details of the proposed residential apartment development.

2.1.5. They have also submitted a detailed Design Statement dated January 2016 which includes photographs, mapping, views before/after, 3D imagery showing the proposed blocks, a Shadow Analysis and a regard to the proposed development as shown on the drawings.

2.1.6. The following Reports have been submitted with the application:

- Planning Report by De Blacam and Meagher Architects dated January 2016.
- Design Statement by De Blacam and Meagher Architects dated January 2016.
- Engineering Services Report prepared by O'Connor Sutton Cronin Consulting Engineers dated October 2015.
- Site Specific Flood Risk Assessment prepared by O'Connor Sutton Cronin Consulting Engineers dated October 2015.
- Greenfield Apartments – Part L Compliance Report prepared by O'Connor Sutton Cronin Consulting Engineers dated October 2015.
- Stage 1 Screening for Appropriate Assessment - Brady Shipman & Martin.
- Arborist Report – Arboriculture Implication Assessment and Arboriculture Method Statement prepared by Joe McConville dated September 2015.

- Greenfield Residential Development - Transport Assessment prepared by RPS dated January 2016

3.0 Planning Authority Decision

3.1. Decision

On the 15th of July 2016 Dublin City Council granted permission for the proposed development subject to 12no. conditions. Many of these are relatively standard referring to infrastructural and constructional issues and are summarised as follows:

- Condition no.1 – Compliance with plans and particulars submitted and the F.I submitted on the 23rd of June 2016.
- Condition no.2 – provides for Development Contributions.
- Condition no.3 – provides for compliance with the requirements of the Roads and Traffic Division.
- Condition no.4 – refers to compliance with the requirements of the Engineering Drainage Division.
- Condition no.5 – refers to compliance with the standard requirements for large developments with the Environmental Health Officer.
- Condition no.6 – restricts any additional development of any sort above roof level.
- Condition no.7 – refers to compliance with the requirements of the Waste Management Division.
- Condition no.8 – management of site development and construction works.
- Condition no.9 – refers to naming and numbering

- Condition no.10 – refers to Section 96 agreement to comply with Part V of the Planning and Development Act 2000-2010.
- Condition no.11 – reference to taking in charge delineation map to be provided and Management Company to be set up.
- Condition no.12 – provides for the lodgement of a security bond.

3.2. Planning Authority Reports

3.2.1. The Planner had regard to the locational context of the site, planning history and policy and to the submissions made, including the internal reports. They note that the maximum height of the proposed apartment blocks is c.17.4m. which exceeds DCDP 2011-2017 policy in Table 17.6.2 – Definition of a high building. They note the proximity of residential properties in surrounding developments and provide that the submitted sunlight and daylight analysis is inadequate and that existing vegetation should not be included. They had concerns relative to the location of the proposed Energy Centre abutting the rear garden of a property at Airfield Court. They also have regard to the Roads and Traffic Planning Division Report and request that further information be submitted to include the following:

- Further justification in relation to the height and to give consideration to amending the scheme either by reduction in floors and/or by further excavation and modelling of landscape plan as proposed. They request that cross sections be submitted.
- They refer to the F.I request from the Roads and Traffic Planning Division and provide that the details requested therein should be submitted. This includes details relative to traffic counts, residential cycle parking and accessibility. Details to confirm footpath widths, relevant to dropped kerbs, tactile paving and uncontrolled pedestrian crossings. All to be in accordance with the requirements as outlined in the DCC document *Construction Standards for Roads and Street Works*.

- A revised Sunlight and Daylight Analysis to omit existing vegetation and to show the impact of the proposed development on adjoining properties.
- Further details on the 'Energy Centre' including regard to noise and fumes and its location abutting the rear garden of a property in Airfield Court.

3.2.2. Further Information response – De Blacam and Meagher have submitted a response on behalf of the applicant which includes the following:

- They have reviewed the design of the development and have reduced the height of the blocks. Revised drawings have been submitted and they provide details of this.
- They have provided an updated Transport Assessment dated June 2016 prepared by RPS.
- They include details of residential cycle parking and have regard to the proposed basement plan.
- The footpaths within the proposed development are to be 1.8m wide and dropped kerbs and associated buff coloured tactile paving will be provided at all uncontrolled crossings as indicated on the drawings in compliance with Standards.
- They refer to the enclosed sunlight and daylight analysis prepared by Vicom, which has been carried out with the existing vegetation omitted for clarity.
- Revisions to the proposed Energy Centre are shown on the plans submitted. The ESB Substation and Switch Room are to be retained in their original location, but set back from the boundary to allow screen planting.

3.2.3. Planner's response

The Planner had regard to the F.I submitted. They noted that the revised height of the proposed buildings is now 13.8m and had regard to the drawings and details submitted and in the context of the current application did not consider this increase material. They also have regard to increased heights proposed in the Draft DCDP 2017-2023, and note that the building proposed is less than this, but note that as yet this has no legal status. They considered that the applicant has satisfactorily responded to this F.I request. They noted the Transport Assessment Report dated June 2016 and the revised drawings and details submitted relative to residential cycle parking etc. Also that the Roads and Traffic Division of DCC has now recommended that permission be granted subject to recommended conditions. They had regard to the revised Sunlight and Daylight Analysis submitted and did not consider that it would unduly or materially detract from the residential amenity of the area. They consider the details regarding the Energy Centre, ESB Substation and Switch Room to be acceptable. They considered that the applicant has adequately addressed the request for F.I. and noted the high quality of the proposed residential units including the proposed design and material finishes. They recommended that planning permission be granted subject to conditions.

3.3. **Other Technical Reports**

Internal

Road & Traffic Planning Division – They note the existing roads network in the vicinity and have regard to the Transport Assessment submitted. They recommended that F.I be submitted, to include regard to traffic counts in the TA in order to calculate a trip rate for the proposed development, to provide residential cycle parking separate to the storage units, clarification of type of cycle parking, to submit drawings showing the footpaths at least 1.8m wide, and to provide dropped kerbs and associated buff coloured tactile paving at all proposed uncontrolled crossings within the development.

They have regard to the revised Transport Assessment submitted in response to the F.I and note that traffic counts have been included and that a capacity analysis was undertaken for the Stillorgan Road and the junctions in the vicinity of the proposed development. Note is had of the revised drawings showing cycle parking and footpaths and uncontrolled crossings. Regard is had further to the details submitted in the Assessment below. They provide that they have no objections subject to a number of conditions.

Drainage Division, Engineering Department – have no objection subject to compliance with current standards including incorporation of SUDS. They recommend a number of drainage conditions, including mitigation measures relative to the implementation of the Flood Risk Assessment and to basement flooding.

The Environmental Health Officer recommends conditions relative to control of noise levels including construction noise. Recommendations include that an asbestos survey of the buildings to be demolished be carried out and measures for control of dust during construction phase.

Waste Regulations Section – Waste Management Division recommend compliance with a number of provisions relative to the management and disposal of Construction and Demolition waste. Also relative to compliance with waste standards for apartment blocks, relative to bin/waste storage areas etc.

3.4. **Third Party Observations**

Submissions have been received from local residents (including Residents Groups and the subsequent Third Party Appellants) whose concerns include the following:

- The height, scale and massing of the proposed development would appear overly dominant, lead to overlooking and overshadowing and would be detrimental to and not be in character with the established residential area.

- The proposed density is too high and the design and layout does not allow for a variety and mix of housing unit types and is contrary to planning policy.
- It will lead to devaluation of existing properties in the area.
- Access and Traffic – Greenfield Park road network or its junction with the Stillorgan Road is not adequate to cope with the traffic that will be generated by the proposed development.
- There is concern about intensification of use, congestion and traffic hazard and use of the laneway to UCD to serve the proposed development. Photographs have been included showing the existing situation.
- The widening and use of this lane for access to the proposed development will impact adversely relative to existing housing proximate to the lane and on the UCD playing fields at the end of the lane.
- They are concerned about right of way issues relative to use of the lane.
- Concerns relative to road design and impact on safety at the bend for pedestrians and cyclists on the corner of Greenfield Park and relative to security and privacy.
- Parking – on site parking is not adequate and it will create pressure on the existing on street parking for local residents and be a safety issue for pedestrians and cyclists.
- Landscaping issues including removal of trees on site and boundary treatment thus reducing privacy for local residents and removal of old stone walls.
- Risk of Flooding – Surface water issues relative to the site and proximate residential development including Nutley Square.
- Objections to the proposed location of the energy centre proximate to the established residential development and to the noise and disturbance from the centralised waste collection area.
- Construction issues including noise and impact of construction traffic.

- Noise during operational phase due to additional comings and goings.
- Invalidity issues relative to application particulars and deficiencies. They consider the application should have also been lodged to Dun Laoghaire Rathdown County Council as the southern part of the site is within their administrative area.
- It is provided that the proposed development is contrary to the Z1 residential zoning objective relative to the need to protect the amenities of the established residential area.

4.0 Planning History

The Planning Report submitted with the application notes that the DCC online planning history search dates back to 1994. From their review of this database they provide that there is no relevant planning history relating to the subject site over a period 1994-2015, a period of 20 years.

The following was noted in the vicinity of the proposed site:

- Reg.Ref.2886/11 – Permission granted subject to conditions to Purleigh Holdings Ltd for the demolition of an existing boiler houses and an existing Dodder Valley siphon control house.
- Reg.Ref.D11A/0288 – Permission granted for the construction of a new siphon control house and all associated works.

4.1.1. Concurrent Application

This is of significance as it refers to the access road to the subject site which is within adjoining lands and is within the administrative boundaries of Dun-Laoghaire Rathdown:-

- Reg.Ref. D15A/0860 – Permission granted subject to conditions by Dun Laoghaire Rathdown County Council for widening of existing vehicular entrance and roadway from Greenfield Park including the provision of pedestrian footpath and public lighting. Ref. PL06D.246607 is now the subject of a concurrent appeal.

5.0 **POLICY CONTEXT**

5.1. **National Spatial Strategy 2002-2020**

The NSS sets out a national planning framework to co-ordinate future development and planning throughout the country in a sustainable manner and to consolidate the physical growth of Dublin while recognising its national and international importance.

It is of note that having regard to an update relative to policy and objectives for strategic planning that a National Planning Framework document is now being prepared.

5.2. **Regional Planning Guidelines for the Greater Dublin Area 2010-2022.**

The Guidelines, which provide a long term planning framework for the development of the Greater Dublin Area, seek to consolidate development, increase overall densities and facilitate the provision of improved public transport.

5.3. **Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009**

These seek to encourage high quality sustainable residential development, urban form and design. They are concerned to promote a sequential approach to development and to create an overall design framework with linkages to the existing developed area. They support Local Area Plans and the phasing of development, also having regard to the availability of infrastructure. Regard is had to the availability of community facilities, public transport and the quality of open space.

Chapter 3 concerns the role of design and has regard to the context and quality of the development proposal. Chapter 4 provides for planning for sustainable neighbourhoods and has regard to public open space, traffic safety, drainage issues etc. Chapter 5 refers to Cities and Larger Towns (i.e towns with 5,000 or more people) and provides the criteria for appropriate locations for higher density developments. Section 5.9 refers to Inner suburban/infill sites and has regard to residential infill. Chapter 7 concerns the home and it's setting and discusses issues such as daylight, sunlight, privacy, open space and communal facilities.

Regard is had to the accompanying DOEHLG 'Urban Design Manual-A best practice guide 2009' and to the 12 criteria to promote quality sustainable urban design discussed in this document. Regard is also had to the application of these criteria, which are divided into three sections: Neighbourhood/ Site and Home reflecting the sequence of spatial scales and order of priorities that is followed in a good design process.

5.4. Sustainable Urban Housing Design Standards for New Apartments 2007

This provides guidelines on the design and layout of new apartments to ensure that they provide satisfactory living accommodation. This also includes guidance on daylight and sunlight, communal and private open space and recreational needs. The Appendix includes recommended minimum floor areas and standards.

5.5. Updated Apartment Guidelines 2015

The purpose of these guidelines includes; to enhance the viability of new apartment construction, ensure consistency, as regards the minimum planning requirements and expand the provisions of the 2007 guidelines on qualitative aspects concerning areas such as amenities, provision of play facilities, cycle parking and related matters. The focus of this guidance is on the apartment building itself and on the individual units within it.

The guidelines have been prepared taking account of related provisions of the Planning and Development (Amendment) Act 2015, which amended Section 28 of the Act as regards Ministerial Guidelines distinguishing between ‘specific planning policy requirements’ which must be applied by planning authorities and other aspects that planning authorities must also have regard to, in the exercise of their functions.

5.6. Design Manual for Urban Roads and Streets 2013

The DMURS document must be taken into consideration in examining planning applications. Within the DMURS document the application of the principles to existing streets must require a flexible approach. The document calls for a safer more attractive and vibrant street and the creation of a permeable network from a multi-layered process. The process should begin with a site analysis that identifies any constraints the proposal may have on the existing network, including points of access, major destinations and strategic connection (existing and proposed). The street hierarchy in terms of trips generated, access etc.

All new residential development must be designed in accordance with the requirements set out in DMURS. This Manual sets out design guidance and standards for constructing new, and reconfiguring existing, urban roads and streets in Ireland by incorporating good planning and design practice to create low speed environments in urban areas.

5.7. Dublin City Development Plan 2011-2017

This is the document that regard was had to in the course of this application and in the documentation submitted including the Planning Report and the Design Statement. It provides details of planning policies and objectives and provides the land use zonings. Chapter 15 provides the Zoning Principles. The site is within residential Z1 zone i.e – *To protect, provide and improve residential amenities.*

Chapter 17 includes the Development Management Standards and has regard to Design, Layout, Mix of Uses and Sustainable Design.

Section 17.6 refers to Building Height in a Sustainable City and S.17.6.2 provides a definition of such heights.

Section 17.9.1 provides the Residential Quality Standards including having regard to Apartments.

Table 17.1 provides the Car Parking Standards for Various Land-Uses and Table 17.2 the Cycle Parking Standards.

5.8. Dublin City Development Plan (2016-2022) – Interim Publication

This Plan was adopted by Dublin City Council at a Special Council meeting on 23rd September 2016. The Plan came into effect on 21st October 2016. It replaces the 2011-2017 City Development Plan. It sets out policies and objectives to guide how and where development will take place in the city over the lifetime of the Plan. It aims to provide an integrated, coherent spatial framework to ensure the city is developed in an inclusive way which improves the quality of life for its citizens, whilst also being a more attractive place to visit and work.

The policies and objectives in this plan promote intensification and consolidation of Dublin city, all of which lies within the metropolitan area. This is to be achieved in a variety of ways, including infill and brownfield development; regeneration and renewal of the inner city; redevelopment of strategic regeneration areas; and the encouragement of development at higher densities, especially in public transport catchments. Having regard to residential it is concluded that there is sufficient zoned land to provide for the Development Plan period.

Throughout the city, an integrated approach is to be taken towards land use and transport planning, with more intensive uses promoted at locations with higher public accessibility. This includes the creation and nurturing of sustainable neighbourhoods, which are designed to facilitate walking and cycling, close to public transport insofar as possible, and a range of community infrastructure, in quality, more intensive mixed-use environments.

Chapter 4 relates to Shape and Structure of the City. Section 4.5.3 refers to making a more compact sustainable city and S.4.5.3.1 has regard to Urban Density.

Policies SC13 – SC15 relate to the promotion of sustainable urban densities.

Section 4.5.4 relates to Taller Buildings as Part of the Urban Form and Spatial Structure of Dublin.

Section 4.5.5 supports a high quality Public Realm and network of attractive and safe streets. Policies SC19 – SC21 refer.

Section 4.5.8 provides for Making Sustainable Neighbourhoods to contribute to the form and structure of a consolidated city.

Section 4.5.9 supports high quality Urban Form and Architecture. Policies SC25-SC27 refer. SC29 supports the appropriate sustainable re-development of vacant and brownfield lands.

Chapter 5 supports the provision of Quality Housing. Policy QH1 seeks: *To have regard to the DECLG Guidelines on ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007); ‘Delivering Homes Sustaining Communities – Statement on Housing Policy’ (2007), ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2015) and ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual: A Best Practice Guide’ (2009).*

Section 5.5.2 refers to Sustainable Residential Areas.

Section 5.5.6 refers to Apartment Living. Policy QH18 seeks: *To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.*

Chapter 8 refers to Movement and Transport. Section 8.5.1 seeks to encourage Integrated Land-use and Transportation.

Section 8.5.4 seeks to Promote Active Cycling and Walking and includes a number of relevant policies seeking to provide/improve pedestrian and cycling links and networks.

Policy MT11 of the DCDP 2016-2022 supports permeability for pedestrians and cyclists.

Section 8.5.5 refers to Mobility Management & Travel Planning and this includes reference to provision for a Transport Assessment. Policy MTO23 refers.

Section 8.5.6 refers to Car Parking. Policy MT17 refers.

Section 8.5.11 seeks to provide Accessibility for All.

Policy MTO49 seeks: *To prioritise the introduction of tactile paving, ramps and kerb dishing at appropriate locations, including pedestrian crossings, taxi ranks, bus stops and rail platforms.*

Chapter 9 seeks to encourage the delivery of Sustainable Environmental Infrastructure. Section 9.5 provides the Policies and Objectives.

Policy SI3 seeks: *To ensure that development is permitted in tandem with available water supply and wastewater treatment and to manage development, so that new schemes are permitted only where adequate capacity or resources exists or will become available within the life of a planning permission.*

Policy SIO5 seeks: *To protect existing wayleaves and buffer zones around public water service infrastructure.*

Section 9.5.2 seeks to Protect Watercourses and Water Quality.

Section 9.5.3 refers to Flood Management Policy.

Section 9.5.4 provides for Surface Water Drainage and Sustainable Urban Drainage Systems (SUDS).

Section 9.5.5 refers to Waste Management.

Section 9.5.9 seeks to provide protection against Light Pollution. Policies SI26 and SI27 refer.

Chapter 10 refers to Green Infrastructure, Open Space and Recreation.

Section 10.4.1 has regard to the need for Appropriate Assessment. Section 13.3.10 further refers.

Chapter 12 refers to Sustainable Communities and Neighbourhoods. Policy SN4 refers.

Chapter 14 has regard to Land Use Zoning and sets out the Principles and Objectives relative to each zoning. The subject site is in the Z1 Sustainable Residential Neighbourhoods – Section 14.8.1 refers.

Chapter 16 provides the Development Standards and refers to Design, Layout, Mix of Uses and Sustainable Design.

Regard is had to Respecting and Enhancing Character and Context and Sustainable and Inclusive Design. This includes Sustainable Open Space and Urban Drainage systems and Design for a Safer Environment.

Section 16.2.2.2 refers to Infill Development and allows for uniformity and variation respecting and complimenting the character of the area.

Section 16.3 refers to Landscaping and includes reference to Hard and Soft Landscaping, Tree Protection and Boundary Treatment.

Section 16.3.3 has regard to criteria for Public Open Space in all Development.

Section 16.10.1 refers to the minimum 10% requirement in residential schemes.

Section 16.4 has regard to the Density Standards. This includes: *All proposals for higher densities must demonstrate how the proposal contributes to placemaking and the identity of an area, as well as the provision of community facilities and/or social infrastructure to facilitate the creation of sustainable neighbourhoods.*

Section 16.5 provides that the Indicative Plot Ratio for outer city Z1/Z2 areas is 0.5 – 2.0. Section 16.6 provides that the Indicative Site Coverage in the Z1 zone is 45-60%.

Section 16.7 provides an Overview of Building Height in a Sustainable City

Section 16.7.2 provides details of Height Limits and Areas for Low-Rise, Mid-Rise and Taller Development and includes a Table relative to Building Height in Dublin.

Section 16.8 refers to Access for All in accordance with the appropriate standards.

Section 16.9 refers to Roads and Services and has regard to being in compliance with DMURS.

Section 16.10 provides the Standards for Residential Accommodation and notes that these are divided into standards relating to apartments and houses (16.10.1 and 16.10.2 respectively) and apply to new build residential schemes.

Section 16.10.3 has regard to the Residential Quality Standards – Apartments and Houses relative to private, communal and public open space.

Section 16.10.4 considers the Making of Sustainable Neighbourhoods relative to 15, 50 and 100 plus units.

Section 16.10.8 refers to Backland Development.

Section 16.10.10 refers to Infill Housing on appropriate sites.

Section 16.38 provides for the Car Parking Standards, Table 16.1 refers and should generally be regarded as the maximum provision. Section 16.38. 6 refers to

Motorcycle Parking and Section 16.38.9 the Design Criteria including relative to Residential Car parking in Apartments. Section 16.39 refers to cycle parking.

The Appendices are contained in Volume 2.

Appendix 2A and 2B refers to the Housing Strategy. Appendix 4 refers to Transport Assessments, Mobility Management and Travel Plans. Appendix 18 refers to Taking in Charge of Residential Developments.

5.9. **Dun Laoghaire Rathdown Development Plan 2016-2022**

The Land Use Zoning Map shows that the subject site, relative to the access roadway within the DLR jurisdiction, is within two separate zonings i.e:

The northern portion is within land zoned Objective A, which seeks: *To protect and or improve residential amenity*. The remaining portion which is in Objective 'TLI', where the objective seeks: *To facilitate, support and enhance the development of third level education institutions*.

Chapter 2 has regard to Sustainable Communities and includes regard to residential developments and sustainable transport and the roads network.

Chapter 5 provides the Physical Infrastructural Strategy and has regard to issues of Environmental Infrastructural Management including Drainage and Waste Management.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

There separate Third Party Appeals have been submitted. Their grounds of appeal can be summarised as follows:

6.1.1. Brenda Fives and Others

Feargall Kenny, Registered Architect and Planning Consultant has submitted an Appeal on behalf of these residents at Nos.6,7,8 and 9 of Airfield Park. His client's houses are located in close proximity to the subject site on its north western boundary. Their grounds of appeal include the following:

- They consider that the proposal represents a serious overdevelopment of this backland site and will pose a serious threat to their established residential amenities and is not in accordance with planning policy or the proper planning and sustainable development of the area.
- The proposal does not comply with and contravenes the Z1 zoning objective i.e to protect and improve the existing residential amenities of the area. It will result in a major diminution of their existing residential amenities.
- The subject development which consists of a number of 5 storey monolithic blocks with semi-basement car parking exceeds the height criteria as presented in Section 17.6.2 of the DCDP 2011-2017.
- There is particular concern about the height of Block no.5 and overlooking issues, as it is adjacent to the 2 storey residential properties.
- They consider that the proposal by way of height, bulk and density is contrary to the Sustainable Residential Development in Urban Areas Guidelines (2009) concerning the need for infill development to fit in with the character and amenities of the area.
- The physical and visual impact of the proposal will be completely at odds with the general character of the area and its amenities. It will have consequences for privacy and security and cause devaluation.
- The proposed density, taking out the road element of the site, which reduces the site area, greatly exceeds that of the surrounding area.

- A description is given of the residential mix in the area. It is provided that the area is a mature settled residential area with an established character and ambience.
- They consider that the 'balance' relative to appropriate infill development as referred to in Section 5.9 of the Guidelines has not been struck. They consider that to fit in with the established character of the area the apartment blocks should be reduced by one floor.
- The proposed location of the surface parking for visitors adjoining rear boundaries of existing residential houses will lead to noise and disturbance and it should be more evenly distributed throughout the site.
- They are concerned that the proposal considering its proximity to UCD will be rented to students and that there will be problems with late night noise and anti-social behaviour.
- There are concerns about the impact of construction works, and the access ramp to the basement car park of Block 5. They suggest that a condition be included that access to the carpark of Block 5 be by means of an alternative route such as a link to the Block 4 carpark.
- Landscaping plans have not been submitted and if the Board decides to permit they request a landscaping condition be included.
- There are concerns about the location of the pumping station for the foul sewer to the rear of the appellant's properties in Airfield Park. Also the attenuation water storage tank and possible issues of cross contamination. They are concerned about serious nuisance and health hazard and consider that if the Board decides to permit that these should be relocated.
- They contend that the proposed development would seriously injure the amenities of the area and property in the vicinity and would therefore be contrary to the residential zoning objective and to the proper planning and

sustainable development of the area. They provide appendices and include a number of drawings showing sections relative to impact on adjoining properties.

6.1.2. Greenfield Park Residents Group

Kieran O'Malley & Co. Ltd has submitted a Third Party appeal on their behalf and their grounds of appeal concern the following:

- Administrative Matters – It is their opinion that the information provided in the planning application regarding the identity of the applicant does not comply with the Planning Regulations, so the planning application is therefore invalid. They also consider that there is some confusion in the plans in that the works relative to the proposed development are within two separate administrative areas.
- Building Height – The proposed height is not in keeping with the area which is predominantly low rise two storey and some three storey. It would be materially in excess of the heights specified in Section 17.6.2 of the DCDP 2011-2017. They consider that a reduction in the number of floors would be the most effective response.
- They contend that the modifications proposed in the further information submitted do not adequately resolve the height issue and overlooking issue and provide a discussion of the drawings to this effect.
- They are concerned that there are serious overlooking issues, and have particular concerns in this regard about overlooking from the balconies of Block 2 to adjoining properties in Airfield Park and consider that the proposal will appear visually dominant.
- Block 5 is proposed adjacent to the adjoining residential properties and they consider that the relationship between the proposed apartment block and the

detached houses in Thornfield is not adequately described/shown in the sections submitted.

- They have regard to the site contours and are concerned that taking into account the modifications submitted, the planning authority's assessment does not adequately consider the relationship between the blocks and the neighbouring properties.
- They request the Board to thoroughly assess the proposed height having careful regard to the Z1 use zoning objective, which seeks to protect and improve the amenity of residential property.
- They consider that sufficient information has not been submitted regarding the adverse impact and potential nuisance of the construction stage upon the amenities of local residents.
- They are particularly concerned regarding the condition of Greenfield Park road which is the sole means of access to their properties and to the proposed development site. If the Board decides to grant they ask that a condition be included that the public roads in the area are cleaned daily or more frequently as required.
- In conclusion they ask the Board to refuse permission for the proposed development. However, if they are mindful to grant they ask that effective planning conditions to reduce the height of the permitted apartment blocks to three storeys to minimise the impact upon local residents during construction phase be included.
- They include a copy of their original submission to the planning application and a copy of the Report from Trafficwise traffic and transportation solutions.

6.1.3. Nutley Square Management Co.clg.

They are acting for the 30 house owners of the Square which is situated on the south-eastern boundary of the development site. Their grounds of appeal include the following:

- The design, layout, height and massing of the proposed development does not accord with the Z1 residential zoning objective in that the apartment blocks will be overbearing, out of scale and character in terms of their visual appearance and impact on the adjoining properties and character of the area.
- While the proposed height has been reduced from 17.4m to 13.8m in the F.I submitted this still breaches the DCDP height of 13m for such blocks.
- The actual site area is 1.20ha (excluding the access road in DLR Co.Co.) and the density relative to 71no. apartments is in excess of all housing in the surrounding area.
- There is concern about the development being overly dominant and causing overlooking and overshadowing especially of the backs of nos. 8 -19 Nutley Square.
- It is noted that there is a limited on-street parking supply in the area due also to proximity to UCD and there is no provision whatsoever for additional car parking in the area other than limited metered spaces on Greenfield Park.
- They note the other concurrent appeal regarding the proposed road layout and access Ref. PL06D.246607 and consider that the proposed development including the access contravenes DCDP policy and will have a detrimental impact on the residential amenities of the area and should be refused.
- They include photographs showing views of residential in the area and a copy of their original submission.

6.2. Planning Authority Response

Dublin City Council provide that they have no further comment to make and consider that the Planner's Report on file adequately deals with the proposal.

6.3. Observations

Two separate Observations have been received from local residents and these are summarised as follows:

6.3.1. Suzanne Glazier resides at the family home at no.34 Greenfield Park which is at the corner of the proposed access road. She objects to the proposed development and includes a map of Greenfield Park and a number of photographs for illustration purposes, which are referenced relative to her Observation. Her concerns include the following:

- Traffic Congestion relative to impact on her property – Her house is positioned at the corner of the laneway and one side of the house faces part of the now gated laneway, which is the proposed access road.
- Large numbers of cyclists, motor cyclists go in and out of the pedestrian gates to UCD, and cars and vans from the University Lodge entrance, pedestrians/cyclists also use the pathway alongside the proposed access.
- The Bowl which is proximate to the site uses this access and this is used for sports venues at UCD and can accommodate up to 3,000 people, leading to traffic congestion.
- A sketched map is provided to show the various entrances converging onto Greenfield Park.
- This is a very tight corner and it would be unsafe for users and clearly be an abuse of the granting of a right of way by UCD for this access route to the development.

- The Traffic Assessment submitted is inadequate, relative to times carried out and issues of traffic congestion. They consider that it should also take into account match fixtures at the Bowl.
- Concern about conflict and traffic safety having regard to pedestrians, cyclists and traffic as a result of the proposed development.
- The proposed development would detract from the residential amenities of local residents. They object to any loss of on-street parking at Greenfield Park. They enclose a number of photographs.
- The conversion of the laneway as an access route from the development onto Greenfield Park in view of the proximity of their property would create major security issues for their safety and well-being.
- They are concerned that no.34 would be totally floodlit at night and strongly object to lighting and the placing of a footpath proximate to their house.
- The proposed access route is too narrow to accommodate this development and they are concerned about noise and traffic and fumes generated along this laneway.
- The proposed development could cause damage to their property and will substantially reduce its value.
- For UCD to grant a right of way for this laneway for a proposed access route to a large scaled development would be clearly an abuse of use.

Michael G. O'Connor of No.30 Greenfield Park, Observation includes the following:

- The proposed development should comply with the Z1 residential zoning objective. Residential amenity will be eroded by unsustainable and inconsiderate development and by the invasive effects of excessive vehicular traffic.

- Greenfield Park is not suited to yet another development with all the effects that this will have for the local amenity and environment.
- The infrastructure in the area including road network and the design of the narrow Greenfield Park is unsuited for further development.
- Construction Traffic and Traffic Management issues will have a detrimental impact on Greenfield Park and the amenities of local residents. If the Board is mindful to grant they suggest that consideration needs to be given in the conditions to such issues.
- They are concerned about the impact of the proposed development taking into consideration the narrowness of the existing road and access for emergency vehicles and include photographs showing traffic congestion.
- The proposed development will have detrimental implications for traffic flow and management. There are concerns about access, congestion and road safety issues.
- Other viable routes such as through Airfield Park/Airfield Court onto the Stillorgan Road need to also be looked at, as Greenfield Park cannot sustain this additional traffic.
- The height and scale of the proposed development is unacceptable and not in character with this established residential area. There will be an adverse impact on privacy.
- There is insufficient open space allocated within the scheme, having regard to the residential amenity of the area.
- The density is not in keeping with the Z1 zoning objective. The additional traffic generated, environmental, health and safety issues and amenity considerations have not adequately been taken into account.

- The properties will not help alleviate the housing shortage as the units will be high end sales well beyond young families who are experiencing the current shortage and struggling to find homes.

6.4. Further Responses

6.4.1. First Party response - Hughes Planning and Development Consultants has submitted a detailed response on behalf of the applicants. This has regard to the proposed development and compliance with planning policies and guidelines. Section 7.0 of this Report provides the Applicant's response to the Grounds of Appeal and this includes the following:

- They note the distances of the appellant's properties from the set back of the proposed blocks.
- They note that the heights of the blocks were reduced and refer to the revised drawings submitted as part of the further information.
- They include a Table in Figure 4.0 of Section 7.0 to show that all of the apartments (A- K) considerably exceed the minimum standards and provide that the density is acceptable for this urban location close to Sustainable Transport links.
- They provide that separation distances are achieved in the blocks and that the proposed development will have minimal impact on daylight and sunlight requirements.
- The proposed development will be high quality and will not have an adverse visual effect or be visually obtrusive in this location.
- There are no plant rooms proposed on the roof of any apartment building of the proposed development.

- The proposed development will constitute a meaningful visual change to the surrounding properties. A reasonable distance will be retained and the impact of the apartment blocks will be minimal.
- Boundary landscaping, including new semi-mature landscaping will provide screening and (Fig.5.0) contribute to the parkland setting of the proposed development.
- They submit that the proposed density is appropriate to given the location of the site proximate to the N11 QBC. They provide that an appropriate mix of apartments has been provided at a reasonable density for its location.
- A detailed Construction Management Plan will be prepared and relevant national standards will be applied.
- They provide that the assertion regarding insufficient information on the directorship of the Applicant Company is incorrect and provide details.
- They provide details relative to timing and presentation of the applications and do not consider that taking into account the two separate administrative boundaries/authorities that confusion regarding the submission of the applications has occurred.
- They note that the Traffic Impact Assessment prepared by RPS and lodged with Dun Laoghaire Rathdown County Council as part of that application (Ref.PL06D.246607) showed and had regard to the full nature and extent of the proposed residential development.
- Section 7.7 of their response refers to traffic and provides a detailed response in tabular form to each of the matters raised in the Trafficwise Report submitted by the Third Party.
- They submit that the issues raised by the appellants have been adequately addressed in the response submission and that this proposal is an

appropriate design response for the residential development of this zoned and serviced site.

6.4.2. Third Party response – Feargall Kenny, Planning Consultant has submitted a response on behalf of Brenda Fives and other residents of Airfield Park, which includes the following:

- They support the other Third Party appeals made particularly in relation to the points made about the heights of the proposed buildings.
- They consider that the proposed heights are in material contravention of the DCDP 2011-2017, and should not be permitted.
- They contend that the proposed scheme could be amended by reducing the number of floors, by one floor in each block, which would reduce the density in this low rise suburban area.
- Increase in densities should not be at the cost of the residential amenities of existing residents.
- They are concerned about overlooking from the wraparound balconies and consider that the proposed development would not be compatible with the character and amenities of the surrounding residential area.
- While they recommend refusal, if the Board is mindful to permit they recommend that a condition should be included reducing the height of the blocks by at least one floor.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the headings below.

7.2. Principle of Development and Planning Policy

- 7.2.1. It is of note that this application has been submitted with regard to the Dublin City Development Plan 2011-2017 where the subject site is zoned Z1, where the zoning objective seeks: *To protect, provide and improve residential amenities*. This Plan has recently been replaced by the newly adopted Dublin City Development Plan 2016-2022, and regard is now had to the policies and objectives therein. As shown on Map 'H' the 'Sustainable Residential Neighbourhoods' land-use zoning applies. Therefore the principle of the proposed development i.e to provide residential development is acceptable within this zoning provided it would not impact adversely on the amenities or character of the established residential area.
- 7.2.2. The First Party considers that the proposed development is consistent with planning policy and provides a high standard of development and makes the most efficient use of serviced land while seeking to enhance the character and appearance of the area and protect the amenities of adjacent properties. They consider that the proposed development is by reasons of scale, design and layout suitable as a design response to the site and locational context. Also that the density is appropriate on this zoned and serviced site creating a high standard of accommodation for future occupants. They provide that the road network can cater for the additional traffic generated and include a Transport Assessment.
- 7.2.3. The Third Parties consider that the height, scale and massing of the proposed development would be contrary to policy and objectives relative to the residential land use zoning. They are concerned that it would have an overbearing impact on adjoining properties, by reason of the proposed height and monolithic design and layout of the blocks being visually over bearing. Also the proposed height and massing would lead to issues of overlooking, loss of privacy and overshadowing of adjoining two and three storey lower density/profile residential developments. They consider that the proposed access and parking arrangements would cause

congestion and adversely affect road safety and the convenience of existing users and would be detrimental to the residential character and amenities of the area and neighbouring properties.

- 7.2.4. Regard is had to The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009). Section 5.9 of these Guidelines refers to infill residential development and includes: *Potential sites may range from small gap infill, unused or derelict land and backland areas, up to larger residual sites or sites assembled from a multiplicity of ownerships.* These also provide: *In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.* Therefore a 'balance' regarding appropriate infill development, providing higher residential densities and the impact on the character of the area as per Section 5.9 of the Guidelines needs to be struck.
- 7.2.5. Regard is also had to the creation of Sustainable Neighbourhoods. It is of note that Policy SC14 of the Dublin City Development Plan 2016-2022 seeks: *To promote a variety of housing and apartment types which will create both a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.* Policy QH6 seeks: *To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.*
- 7.2.6. Therefore the issue for consideration in this case is whether the proposed residential development, including the revisions as per the modifications submitted at further information stage can be permitted in accordance with planning policy on what is acceptable in principle as an infill site on this residentially zoned land. Regard is had to issues of design and layout, including impact on the character and amenities of

the established residential area, and to access and parking and other associated issues raised in the context of this Assessment below.

7.3. Regard to Validity issues

- 7.3.1. The Third Parties have raised concerns about the validity of the application and regard is had to the Planning and Development Regulations 2001-2015 including the requirements of Article 22(1)(b)(iii) of these Regulations. They have raised a number of issues relative to inadequate or ambiguous information being submitted, regarding the identity of the applicants and relative to the description of the development including confusion having regard to the location of the site in two administrative areas. They contend that it is necessary to submit applications to both planning authorities for the entire scheme. Also that the details submitted relative to the description of the development are flawed and question the validity of the application.
- 7.3.2. In this case the access road relative to the proposed vehicular access to the site is within the administrative area of Dun Laoghaire Rathdown and is the subject of a separate and concurrent application PL06D.246607 refers. While as shown on the Site Layout Plan submitted the south western part of the site and part of block no.1 is also within DLR administrative area, the main development site area relative to the subject application, is within the administrative area of Dublin City Council. It is contended that this application is premature and is dependent on the outcome of a separate application made to Dun Laoghaire Rathdown Council. The First Party response to the grounds of appeal has regard to these administrative issues. They note that the western boundary of the site is shared with UCD, and provide that the applicant consulted with UCD who offered no objection during the design process or at application stage to the layout of the proposal in the context of the shared boundary. They also note that the Board is in a position to confirm that objectives and policies relative to both jurisdictions are consistent and complied with.

7.3.3. Concerns regarding validity of the application have been noted and I am of the opinion that these are procedural matter for the P.A. to address, a determination on whether the P.A application/ decision is valid or not, would not be appropriate to make here. However, it must be noted that this application is now being considered on its merits de novo by the Board. In this case regard is had to the documentation submitted and also reference is made to the concurrent application (granted by DLR) and now subject to an appeal relative to the access to the subject site (Ref. PL06D.246607 refers). Regard is being had to both appeals and it is envisaged that will be submitted to the Board together for assessment.

7.4. Regard to Proposed Demolition

7.4.1. The site is a derelict Horticultural field research unit and the buildings/sheds are low profile and have no architectural merit. It is of note that the rectangular shaped site is currently overgrown and appears almost greenfield, with hedgerows and trees along part of the boundaries in the context of the surrounding suburban area. In order to clear the site for the proposed building works, it is proposed to the demolish of the existing single storey pitched roof structures (c.670sq.m) in a derelict state of repair located along the western wall bordering the residential units on Airfield Park and Airfield Terrace. Also the removal of the concrete hard standings existing over the site, originally the footings of the glass houses associated with the previous use to enable re-development. I would have no objection to the removal of these buildings all now in a derelict condition and hardstanding areas, in order to facilitate the integrated and sustainable redevelopment of the site.

7.5. Design and Layout

7.5.1. Regard is had to the Planning Report and the Design Statement submitted with the application, which provide a description of the proposed development including the accommodation within the blocks in Section 2.3. It is provided that the concept of the proposed development is based on a coherent, generously proportioned,

appropriately designed architectural scheme of 5 individual 4 storey blocks located in mature landscaping, that will be positive to local context and streetscape with well-crafted in quality materials.

7.5.2. Section 5.5.6 of the DCDP 2016-2022 provides: It is envisaged that the majority of new housing in the city area will be apartments or another typology that facilitates living at sustainable urban densities. Successful apartment living requires that the scheme must be designed as an integral part of the neighbourhood. Regard must now be had to the updated Apartment Guidelines 2015 and these provide minimum unit sizes of 45sq.m (1 bed), 73sq.m (2 bed) and 90sq.m (3 bed). These Guidelines also provide: The majority of apartments in all schemes must be larger than the national minimum standard (At least 50% of apartments must be minimum of 10% larger than the minimum floor areas specified under the guidelines). As shown on the Schedule of Accommodation the proposed new apartments exceed the minimum floor areas.

7.5.3. The breakdown of the current proposal is:

- 56no. 2 bedroom apartments (79% of overall scheme) - 111sq.m to 135sq.m
- 14no. 3 bedroom apartments (20% of overall scheme) – 139sq.m to 213sq.m
- 1no. 4 bedroom apartment (1% of overall scheme) – 438sq.m.

7.5.4. Having regard to the drawings submitted and the Schedule of Floor Areas it is provided that the proposed development results in a good mix of varying apartment sizes within the proposed scheme. Regard is now also had to Section 16.10.1 of the DCDP 2016-2022 which provide the Residential Quality Standards for Apartments. In this respect it is noted that Section 16.10.1 provides that each apartment development should provide for a mix of residential i.e. *a maximum of 25-30% one bedroom units and a minimum of 15% three or more bedroom units.* However while

no one bedroom apartments are proposed within this scheme, it is of note that 20% of the apartments are to be 3 bed or more.

7.5.5. As noted above all apartments are in excess of the minimum apartment sizes. The room sizes, including living, dining, kitchen, bedrooms and storage are in compliance with the development standards. The First Party response to the grounds of appeal includes a Table in Figure.4.0 which shows how all of the 2/3 and 1no. 4 bed apartments (A to K) considerably exceed the minimum floor areas. Minimum floor to ceiling heights are also exceeded. It is provided that the apartments have been designed to fully comply with and exceed the standards set out in Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities, published by the DoECLG in December 2015.

7.5.6. It is provided that as per the Report submitted that the apartments will be energy efficient achieving Part L compliance under 2011 regulations and a BER rating of A3 for the Apartments in the residential development.

7.5.7. The proposed four storey accommodation is to be set above basement car parking, cycle parking, storage and bin stores in each block. Communal bin stores are to be provided within the basement of each apartment block. Other issues noted include the location of the centralised waste collection for the scheme and concerns regarding general disturbance associated with this activity. The stair case and lift core in all blocks extends down to basement level affording direct access to car parking and waste storage areas. Regard is had to access and parking arrangements in the appropriate sections below.

7.6. **Proposed Energy Centre**

7.6.1. There are objections to the proposed location of the Energy Centre, flush with the rear wall of no.24A Airfield Court. It is of note that the existing former horticultural sheds now proposed for demolition are sited along this boundary. There are also

concerns about potential noise and fumes from the 'Centralised Gas Boiler and 'Micro Combined Heat and Power Congestion Plant. Issues include the noise from, and the traffic to and from the ESB Sub Station. The F.I submitted provides that the proposed Energy Centre has now been split into two components, with the boiler room moved to be located under Apartment Block 1. This would allow the flues from the boilers to be run up to the roof level of Block 1. The ESB Substation and Switch Room are retained in the original location on the south-west boundary. It is provided that neither of these produce noise or fumes. They have been set back from the boundary to allow the proposed hedge around the perimeter to continue between the ESB Substation and the property at Airfield Court.

7.7. Sunlight and Daylighting

- 7.7.1. In relation to the matter of overshadowing the design of schemes should be guided by the principles of good site planning to allow for access to daylight and sunlight for the proposed development and in particular the residential units and also neighbouring residential properties. Section 16.10.1 of the DCDP 2016-2022 relative to Residential Quality Standards for Apartments notes: *Good daylight and sunlight contribute to making a building energy efficient; it reduces the need for electric lighting, while winter solar gain can reduce heating requirements.* This also notes that: *Dual aspect apartments maximise the availability of sunlight and should be provided where possible.* The apartments are all designed to be dual aspect and exceed the development plan standards in this respect.
- 7.7.2. The Blacam and Meagher Design Statement – S.2.5.10 includes regard to Daylight Studies for the proposed apartment scheme and investigates the daylight impact to the neighbouring buildings and the sunlight impact to the neighbouring outdoor amenity areas. It is provided that this assessment has been carried out with respect to the methods outlined in BRE's report Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice, 2011 (P.J. Littlefair). In summary they provide

that the proposed development succeeds in minimising the potential loss of daylight to its neighbouring environment.

- 7.7.3. In response to the Council's F.I request, Vicom provided a revised Shadow Analysis with the existing vegetation omitted for clarity. As the site is currently almost greenfield the analysis shows that the proposed blocks in view of their height and massing while somewhat setback from existing lower scale residential development will have some impact. However, it must be noted that the proposed development represents a change to the current greenfield nature of the site in the context of this urban area.

7.8. **Density and Unit Mix**

- 7.8.1. Local residents are concerned that the proposed development having regard to its high density and multi- storey nature represents a serious overdevelopment of the site in this location. It is provided that the proposed development comprises 71no. residential units on a site of 1.35ha which results in a density of 53 units per Ha. However it has been raised that c.0.15ha of the proposed development site of 1.35sq.m comprises a long access avenue, located in the functional area of Dun Laogharie Rathdown Co.Co. which is the subject of a separate and concurrent application Ref. PL06D.246607 relates. Given a site area of 1.20ha, the proposed development would have a residential density of 59 units per hectare, which is in excess of the overall density in the surrounding area.
- 7.8.2. Having regard to the dimensions shown on the Site Layout Plan, this would appear to be the case based on the measurements of the rectangular site area proposed for development, minus the proposed access area to the site and access road. They consider that the proposed density of 59 units per hectare has been achieved by proposing monolithic blocks with semi-basement parking and the Third Parties consider that a greater range of housing units should have been provided. They contend however, that if this scheme is to be permitted, that the removal of the top

storey from each of the apartment blocks would reduce the number of apartments by 11, giving a density of development of the site of 50 units per ha. The reduction in height to 3 storey combined with the lowering of car parking/storage level to basement rather than semi-basement level would decrease the overall height of the blocks and would be more in character with the general area.

7.8.3. Section 4.5.3 of the DCDP 2016-2022 relates to Urban Density and Policy SC14 seeks: *To promote a variety of housing and apartment types which will create both a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.* Section 16.4 provides: *Sustainable densities promoting the highest quality of urban design and open space will be sought by the City Council in all new developments.* The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity. Public transport capacity will also be used to determine the appropriate density allowable. This also supports an urban design and quality led approach to creating urban densities, with the focus on creating sustainable urban villages and neighbourhoods. It is of note that the current proposal is residential and does not provide for mix use development eg. inclusion of any facilities for residents, eg: gym, retail shop or café. The no. of units to be provided is less than 75 so a crèche has not been included as part of the scheme.

7.8.4. The proposed plot ratio is given as 0.89 and the proposed site coverage is 23%, which complies with Indicative Standards within the DCDP 2016-2022. This is based on the total site area of 1.35ha. It is provided that given the purely residential nature of the proposal the plot ratio and proposed density is considered to be in compliance.

7.8.5. It is of note that as shown on the Map in Section 16.10.1 of the DCDP 2016-2022 the site is located at the southern end of Pembroke East D i.e. it is within an ED with 5000+ workers, located close to major employment areas, where applicants are to be requested to submit evidence to demonstrate that there is not an over-

concentration of 'build to let schemes' in the area. While the proximity to UCD is noted there is no indication on file to provide that this proposal is for a 'build to let scheme'.

7.8.6. Section 16.10.4 provides: *Proposals for new large development must make a contribution to an area in terms of community facilities and social infrastructure where significant shortfalls are identified. When submitting plans for large-scale residential, typically over 50 units depending on local circumstances, and/or mixed-use schemes (i.e. circa 5,000 sq.m and above), developers will be required to submit an audit of existing facilities within the area and to demonstrate how the proposal will contribute to the range of supporting community infrastructure.* This also refers to an assessment of the capacity of local schools.

7.8.7. It is of note that in this case that a Design Statement was submitted and the application was made under the DCDP 2011-2017 i.e. prior to these criteria being in force. The proposed scheme consists of 5no. similar type apartment blocks and does not allow for a variety of housing mix or for any mixed use development. More varied mixed schemes provide for more integrated residential communities. There is concern that the proposal does not comply with planning policy relative to variety and urban form. Section 5.5.2 of the DCDP 2016-2022 provides: *Varied housing typologies will be sought within neighbourhoods in order to encourage a diverse choice of housing options in terms of tenure, unit size, and building design in residential communities.*

7.9. Height issues

7.9.1. There is concern that the scale of the proposed development due to its height and density will be at variance with the surrounding development and established residential character of the area. The Design Statement includes photographs showing the neighbouring developments and the context of the existing site and access route. The proposed development at 4 storeys with semi-basement car

parking, and will appear considerably higher than adjacent predominantly two storey detached and semi-detached properties and some more recent three storey developments. It is noted that there are 3 no. blocks of lower profile three storey high apartments at Thornfield at the N11 and three/four storeys high units at Greenfield Manor abut the north eastern corner of the application site. In this respect a Table has been submitted in the submission made on behalf of the Greenfield Park Residents Group giving details of the heights of residential in proximity to the site, and the additional height of the proposed blocks. There is concern that the height of the proposed development, will be significantly higher than any other buildings in the area and is inappropriate.

7.9.2. It is submitted that the quality and design of the proposed scheme meets the guidelines set down in the DCC DP and that the height of the apartments proposed i.e 4 stories over basement is appropriate in this location. Section 17.6.1 of the previous DCDDP 2011-2017 states that the maximum height in the outer city is 4 storey residential and that all proposed buildings will be assessed against the qualitative and quantitative standards set out including those standards addressing local character, streetscape, open space, daylight and the amenity of existing and future residents. The Table in Section 17.6.2 notes that the maximum permissible height for 4 storey residential in the outer suburbs is below 13m. Section 17.6 of the DCDDP refers to Building Height and notes: *Different character areas will require different approaches to the issue of building heights.*

7.9.3. In the drawings as originally submitted the proposed parapet height is shown as 17.6m. In the further information response De Blacam and Meagher provide that they have reviewed the design of the development and have reduced the height of the proposed buildings by a minimum of 1.2m (Block 5) to a maximum of 2.1m (Block 2). This has been achieved by further excavation and modelling of the landscape and by reducing the floor to floor height of the buildings. Revised drawings have been submitted showing this. The revised height of the proposed

buildings is 13.8m – measured at the centre line of each building, on the south-east side. The site is generally flat with a gradual fall of approx. 2m from the entrance to Greenfield Park to the residential development ‘Thornfield’ to the north east. As the site has a natural slope from south to north the height of the buildings varies from one side to the other. Therefore given the slope of the site and the varying levels through site works and landscaping, the height of the proposed buildings will vary depending on the precise location from which it is measured.

7.9.4. They provide that using normal floor build-up and roof depth dimensions over four storeys it is only possible to achieve an overall height of 13m if the floor to ceiling heights in the apartments are reduced to the DCDP minimum standard of 2.7m rather than the 2.9m provided in the current scheme. Also that this is in line with the quality of the development the apartment plans are typically 30% larger than DP standards and require a similar increase in scale for their ceiling height. They contend that taking into account compliance with the other standards that the 0.8m increase in height is not material and that the height reduction would not result in a material benefit to adjoining residents.

7.9.5. It is of note that regard is now had to the changes relative to height as per Section 16.7.2 of the Dublin City Council Development Plan 2016-2022 which has recently come into force. It is provided that the heights stated in the low-rise and mid-rise categories of the table titled Building Height in Dublin are maximum heights. This table refers to low rise as up to 16m (commercial and residential) in the outer city and allows for up to 5 storeys in height for residential. This is based on the average storey height of 3.0m for residential development. It is of noted that this maybe higher for Rail hubs which are within 500m of existing and proposed Luas, mainline, DART, DART Underground and Metro stations, which is not the case in this instance. Therefore the proposed height is within the range of that permitted in the area, the issue is how the blocks will fit into the character of established residential area.

7.10. Impact on the Character and Amenities of the area

7.10.1. It is noted that high quality architectural treatment of the elevations is to be provided.

The glazed elements of the elevations are reduced in size along the north east and south west elevations to increase privacy and reduce overlooking into the adjoining residential apartments. While the scheme has architectural merit, there is concern from local residents that the horizontal emphasis and the perception of overlooking from the wrap around balconies of the proposed development would not be compatible with the character and amenities of the surrounding area. Also that the proximity of the proposed blocks taking into account the height proposed combined with issues of overlooking from the proposed windows and balconies, will lead to the diminution of existing residential amenities and reduction in value of adjoining properties, particularly the rear of two storey dwellings in Airfield Park and Nutley Square and is thereby contrary to the proper planning and sustainable development of the area.

7.10.2. There is concern that the height and scale of the blocks, will cause overshadowing and be overly dominant relative to adjoining properties. It is of note that the Design Statement includes existing and proposed views to show the impact of the proposed development, particularly in relation to scale and height. However, these views are taken from a distance relative to the impact of the proposed development on proximate residential. Also they do not take into account the modifications in the reduction in height as submitted in the Further Information response. A height study and regard to distances to proximate residential has been included in the drawings included with the F.I. submitted. The First Party response notes that all of the proposed apartments are in excess of the normal separation distance of 22m from the rear of neighbouring dwellings and provides there will be no significant impact on the privacy of these dwellings. It is of note that the elevational drawings submitted at F.I stage show that some of the elevations on the Blocks appear to be closer than this and regard is also had to the distance between them.

7.10.3. The Third Parties consider that higher density does not necessarily require high buildings and can be achieved by lower more compact forms of development. The removal of the top storey on the apartment units would reduce the density. They consider that this increase is material and recommend that the proposed blocks be reduced by one floor, so that they are three storey over basement, in order to integrate better with the established residential character of the area. While the proposal is within the permitted densities, there is concern that the scale and massing of the 5no. blocks on this site is excessive, relative to the established character of the area.

7.10.4. It is also of note that as shown on the Site Layout Plan Block no.1 is very close to the southern boundary and does not allow for a transition of what will be a higher density development (relative to the surrounding residential) and relative to the adjoining UDC sports grounds. Regard also has not been had to the impact on the pedestrian path through these grounds from Greenfield Park located proximate to the southern end of the site. I would be concerned that the proposed development particularly in view of its scale and massing will appear as 5no. monolithic blocks crammed into the site. Also that the design and layout of this scheme encompassing the 5no. blocks will appear excessive in the context of an infill scheme and will not contribute to place making in this location and will not appear to be as conceived to be set on more spacious parkland setting.

7.11. Consideration of Possible Modifications

7.11.1. Having regard to the issues discussed above, I would recommend some modification to the scheme. In view of the concerns of local residents concerning height and massing the Board may consider in the interest of residential amenity to reduce the height of some of the blocks to 3 storey which would lessen the impact of the overall scheme on the established residential area and provide more of a balance relative to infill development in accordance with Section 5.9 of 'The Guidelines for Planning

Authorities on Sustainable Residential Development in Urban Areas (May 2009)'. In this case I would recommend that Block nos. 1, 3 and 5 be reduced to 3 storey over basement to allow for a more transitional lower profile form on either end of the site and centrally located on the site. In order to keep the design theme and the set back on the top floor this would entail the omission of one of the lower floors i.e. a drop of one floor. This would further reduce the overall visual impact and the density of development on the site. Having regard to the Schedule of Accommodation it would mean an overall reduction of 4no. apartments in each of Block nos.1, 3 and 5 i.e a reduction of 12 no. apartments i.e from 71no. to 59no.units.

7.11.2. Alternatively, especially having regard to the height considerations in the new DCDP, the Board may decide to permit and reduce the number of blocks to 4, omitting block no.1. This would lessen the overall impact of the scheme relative to the established character of the area and would allow for additional boundary landscaping and a more transitional approach and usable open space at the southern end of the site, adjacent to UCD grounds. It could also be conditioned that the blocks be moved a minimum of 5m further forward on the site, which would allow for additional landscaping and a greater separation of block no.5 from the northern boundary. A greater separation between the blocks would be beneficial relative to the concept of the parkland setting and for the amenities of future residents. This would result in a scheme that appeared less crammed on site and would reduce the no. of apartments by 13 i.e to 58no. apartments. If the Board decide to permit I would recommend that this be conditioned and that revised plans be submitted showing this prior to the commencement of development.

7.11.3. **Open Space provision**

7.11.4. The public and private open space provided is assessed in the context of the DECLG Apartment Design Guidelines 2015 and regard is also had to 2007 and 2015 Guidelines relative to private open space minimum standards. Section 16.10.1 of the

DCDP 2016-2022 also provides standards relative to private and communal open space. The Schedule of Accommodation submitted provides details of Private Open Space and this notes that minimum standards for such are exceeded in the proposed apartments. Private open space refers to balconies and terraces accessed by residents only for their personal use. Areas of balconies given comply and exceed minimum areas given in the Guidelines. It is provided that there is no overlooking from adjacent terraces due to the orientation. In addition, there is also provision made of communal landscaped open space and play spaces along the southern edge of the site.

7.11.5. Details are given of the provision of communal and public open space in various areas throughout the site. Qualitative standards for public open space are set out in Section 16.10.3 of the DCDP 2016-2022 i.e. *In new residential developments, 10% of the site area shall be reserved as public open space.* The public open space in the proposal allows for (1950sq.m) including the children's play area i.e.15% of the site area to be reserved as public open space which provides for accessible open space and landscaping which enhances the ecological value of a site and increases its biodiversity, which is in excess of standards. The play spaces are designed for security and usability to be proximate to the apartment blocks.

7.11.6. However, there is concern regarding the distribution of the open space. It is of note that as shown on the drawings the majority of the open space is located in a linear fashion along the eastern boundary in the strip that is reserved for the siphon sewer and in the incidental areas between the blocks. Section 16.10.3 of the DCDP 2016-2022 notes the importance of public open space in higher density areas and provides: *All public open spaces shall be of a high quality in terms of design and layout, be located in such a manner as to ensure informal supervision by residents and be visually and functionally accessible to the maximum number of dwellings.* Therefore, it is considered that the landscaping and management of this open space is important to ensure residential amenity for future occupants. If Block no.1 were to

be omitted as considered above this would increase the area of usable open space at the southern end of the site and transition to the UCD campus grounds.

7.12. Landscaping issues

- 7.12.1. It is provided that the proposed development is designed as a series of apartment buildings within a landscaped park. Towards the south eastern end of the site the rear of neighbouring houses and apartments face onto the site. Existing mature landscaping at the north eastern boundary and around Greenfield Manor Apartments and the houses at Thornfield will assist in mitigating the impact of the new buildings in these areas. Also new semi-mature tree planting to be provided as part of the landscaping works of the new development will reduce the visual impact of these new buildings and provide some screening for the houses at Airfield Park and Nutley Square, which currently have a more open view of the site.
- 7.12.2. There are no tree preservation orders on the site. There is concern that the Arboricultural Assessment (Tree Survey) submitted with the application appears to omit reference to a number of mature trees on site. It is noted that there will be some removal of trees on site, and excavations will impact on the contours of the site.
- 7.12.3. There is concern that landscaping scheme relative to hard and soft landscaping has not been submitted. Appropriate measures also need to be included relative to provision of landscaping to include all year round screening and maintenance of trees for retention. In this respect an Arboricultural Method Statement has been submitted with the application, which outlines the code of practice for protection of trees. It is considered important that existing boundary planting, which includes mature trees and hedges is retained and augmented for screening purposes around the perimeter of the site. It is noted that it will be also be necessary to prepare a landscape maintenance and management schedule. It is considered that if the Board decide to permit that this issue should be included as part of the landscaping condition.

7.13. Access issues

- 7.13.1. Vehicular and pedestrian access to the existing site is to be via an existing laneway at the southern corner of the site leading onto Greenfield Park. This access is to be widened and improved to serve the proposed development. It is currently gated, with hedgerows either side. There is a pedestrian entrance alongside to the UCD sports grounds. It is also opposite the gated entrances (with pedestrian access) to UCD and to the University Lodge. It is provided that the access road is in the ownership of UCD with a right of way agreement in place between the two parties for the development on the land. As has been noted above the proposed works are the subject of a concurrent application Ref.PL06D.246607 refers.
- 7.13.2. The existing access route i.e. via Greenfield Park is narrow with paid parking along one side and double yellow lines on the other. It is used as the access road by the residents of Greenfield Park, Greenfield Crescent, Donnybrook Green, Nutley Square and Greenfield Manor. It is noted that there are cycle lanes along the Stillorgan Road (N11). While there is no cycle lane along Greenfield road, there is separate pedestrian and cycle access to UCD. It is noted that the TA provides that there are no special arrangements for cyclists to be provided within the scheme.
- 7.13.3. Without appropriate modifications the current access lane from Greenfield Park is too narrow and would be incompatible with the increased number of vehicles envisaged from the proposed development. The vehicular entrance to the proposed development from Greenfield Park is to be widened and improved with an upgraded access road entering the site in the southwest corner, with the UCD lands on the southern side of the access road. It is to be widened to provide a 5.5m wide two-way vehicular access road with a 1.9m footpath along its northern side. As the application site straddles two administrative boundaries it is provided that the roads will be designated in accordance with the respective authority guidelines. i.e. Dublin City

Council (main site area) and Dun Laoghaire Rathdown County Council (vehicular access to the site).

- 7.13.4. There is concern that the gated laneway to the site was never intended to serve a development of this nature and scale. It is zoned for educational use within the Dun Laoghaire Rathdown DP and was never intended for residential use. Also that it should not to be used to facilitate entry into the lands relative to the site of the proposed development. There is a playing pitch situated at the end of the laneway, to the proposed site and there are concerns as to the future of these UCD lands and congestion during sporting events. Also that the development does not have any right of way over the laneway for the use of construction traffic to construct this development. The Third Parties do not consider that UCD should grant a right of way for this now a locked and gated laneway with access for pedestrians and cyclists only, for a proposed access route to this large scale development.
- 7.13.5. It is also noted that there is a bend which limits turning and visibility at the corner with no.34 Greenfield Park and there are concerns about safety implications. It is proposed to provide a new pedestrian footpath alongside the new vehicular entrance from Greenfield Park linking the proposed development to the existing infrastructure. This is to provide connectivity to the surrounding area for pedestrians and cyclists and to connect to public open spaces and play spaces for the wider community.
- 7.13.6. The Observer at the corner site no.34 Greenfield Park also has concerns about the impact of proposed widening of the access route on their residential amenities. Particular concerns include noise and disturbance and the location of street lighting on their property where currently there is little light pollution. Policy SI26 of the DCDP 2016-2022 seeks: *To ensure that the design of external lighting proposals minimises light spillage or pollution in the surrounding environment and has due regard to the residential amenity of the surrounding area.* Regard is also had to public lighting to

be provided throughout the scheme and if the Board decide to permit it is recommended that it be conditioned that further details of this be submitted.

7.14. Parking issues

7.14.1. As shown on the drawings the internal road layout is a combination of over ground and underground route. The details submitted with the F.I show that it is proposed to provide basement level car parking/ rather than semi-basement as originally proposed, located beneath each residential block accessed by a one-way vehicular access road (3.5m wide) looping around the development.

7.14.2. There is concern from local residents in Greenfield Park that inadequate on-site parking is to be provided and that the proposal will lead to overspill parking from the development onto surrounding roads which have limited on street parking capacity, causing congestion. The proposal allows for 15no. car parking spaces allocated underneath each apartment block for the residents which includes 1no. universal access car parking space (per block). Also 31no. visitor car parking spaces and 2no. maintenance staff car parking spaces located at the energy centre are to be provided. This equates to a total of 106 residential no. car parking spaces. As shown on Map J the site is located in Parking Area 3. This provision i.e. 1.5 spaces per dwelling unit is in accordance with Table 16.1- Residential Car Parking in the DCDP 2016-2022. The proposal includes that all apartments are provided with a secure bicycle space in the dedicated apartment basement storage unit, which is to be secure, sheltered and adequately lit. Table 16.2 provides for 1 space per unit. The development also allows for the provision of 8no. motorcycle spaces which is also above the minimum requirement.

7.14.3. There is concern that the location of the visitor parking adjacent to the western site boundary will lead to problems of noise and disturbance for adjoining residential who would prefer to see this more evenly distributed throughout the site. Also about the impact of excavations on properties at 8 and 9 Airfield Park to provide an access

ramp to the basement car-park of Block 5. They suggest that a condition be included that access to the car-park of Block 5 be by means of an alternative route such as a link to the Block 4 car-park. It is provided that the lowering of the internal vehicular access road permits the creation of large landscaped amenity spaces at ground floor level, providing generous public footpath and links around the site.

7.15. Pedestrian access

7.15.1. Pedestrian access will be from Greenfield Park via a 1.9m footpath that will run along the length of the eastern side of the proposed access road. There is to be a dedicated footpath along the eastern boundary of the site to provide access to Blocks 3,4 and 5. Dedicated pedestrian crossings will be provided. It is intended that cyclists will share the access road to the proposed development which they provide is in keeping with the National Cycle Manual which outlines that mixed/shared street layouts are appropriate for access road/streets and residential access.

7.15.2. Permeability and road design to reduce speeds are considered important and it is provided that site access arrangements and the internal circulation makes the proposed scheme a safe and pedestrian friendly environment for future residents. It is considered important that the proposed development provides for permeability and linkages and does not increase the risk of traffic conflict between the high number of cyclists going to and from UCD and the vehicles on Greenfield Park Road.

7.16. Traffic Generation

7.16.1. The subject site is well connected to the local and regional road network. Greenfield Park links to the Stillorgan Road, which links to the Stillorgan Quality Bus Corridor (QBC) and the Stillorgan Cycle Route. The site is located approx. 1.4kms from Sydney Parade DART Station. These stations link with the heavy rail and Luas light rail hub at Connolly Station. The Stillorgan Road is a key artery in the suburban Dublin road network and it needs to be ascertained that there is junction capacity to

cater for the proposed development via the access road Greenfield Park. As per Section 16.7.2 of the DCDP 2016-2022 relative to building heights it is noted that *Rail hubs are within 500m of existing and proposed Luas, mainline, DART, DART Underground and Metro stations.* It is therefore noted that relative to transport links or building heights the site is not proximate to the DART or LUAS stations.

7.16.2. RPS undertook a Transport Assessment to quantify and assess the likely impact of the traffic generated by the proposed residential development adjacent to Greenfield Park. Details are given of this in the information submitted. The potential traffic generation rates for the proposed development were determined using the TRICS database. Development trips were distributed based on the recorded traffic movements at the surveyed junctions. These details included Traffic analysis undertaken for the base (2014) traffic flows as well as for the projected opening year (2017) and (2032). It is provided that the total predicted increase in traffic in Greenfield Park as a result of the proposed development is 19%, which would expect to be facilitated within the street's existing capacity. Also that the Greenfield Park arm of the junction can accommodate the predicted additional traffic generated by the proposed development while still operating below practical capacity, with minimal queuing occurring during both peak hours in both 2017 and 2032. It is concluded that the green time allocated in the traffic signal cycle for traffic movements from Greenfield Park onto R138 Stillorgan Road will be adequate for accommodating the additional traffic flow, owing to it sharing a green phase with the heavily trafficked Nutley Lane. As such, it would not have a detrimental impact on the green time allocated to straight ahead movement on the R138 Stillorgan Road.

7.17. Third Party Traffic Concerns

7.17.1. These include that the Traffic Assessment submitted is insufficient and that the development would adversely affect road safety and the convenience of all road users. They consider that the proposal will provide for a significant increase in traffic

and that the current road network in the residential area does not have adequate capacity to accommodate this. It is provided that the traffic generated by the proposed new blocks of apartments based on the proposed traffic flow will create serious traffic problems on Greenfield Park road and its junctions and give rise to road safety issues. The robustness of the traffic analysis undertaken has been queried. It is noted that the data obtained was only on one day – October 15th, and was not taken over a more varied period.

7.17.2. The Greenfield Park residents include a Trafficwise Report (dated February 2016) with their submission which provides a review of the proposed access arrangements and the RPS Transport Assessment. This considers that there is a significant difference between the forecast traffic characteristics of the proposed apartment scheme and the current traffic characteristics of the surrounding residential developments. Also that the TA forecasts based on the TRICS database appear to significantly under estimate the likely traffic generation having regard to the existing traffic generation in the immediate area. They contend that the TA fails to assess the percentage impact on the adjoining road and instead focuses only on the Stillorgan Road junction which is furthest point of Greenfield Park from the road serving the proposed development. Also that there is significant lack of details and some inaccuracies in the drawings submitted including that that the proposed road features do not fit within the red line application boundary. They provide that the applicant be requested to provide details to show that the roadway can be accommodated within the site boundaries being lands within the applicant's control.

7.17.3. They consider that there is marked contrast between the existing residential roads environment and that of the proposed access road which is narrower, provides only one footway and has no grass margins or trees. They contend that the proposed access road is not in keeping with the character of the area into which it seeks to be integrated. They provide that the needs of cyclists and pedestrians, especially taking

into account the proximity to UCD should be taken into account. They also consider that the ability of this road to accommodate construction traffic should be assessed.

7.17.4. They provide that there are a number of short comings with the drawings and the TA Report that have not been addressed and recommend that the updated assessment objectively evaluate the impact of the proposed development and provide appropriate mitigation measures which respect the character of the receiving road environment and the needs of current and future road users.

7.18. Regard to the Revised Transport Assessment

7.18.1. Subsequent to the Council's F.I request the Transport Assessment was updated and the most recent version on file is dated June 2016. This is in response to the request that a traffic count be undertaken at the entrance to three existing residential developments off Greenfield Park, in order to verify the TRICS generation data. A 12hour (07.00 -19.00), Junction Turning Count survey was undertaken at the shared entrance to: Donnybrook Green – 24no. apartments, mainly two bed, although a small no. have one bedroom; Nutley Square – 30no. two bedroom apartments; Greenfield Manor – 24no. apartments, most with three bedrooms, although a small number have four bedrooms. Tables showing the results have been included. An assessment of the percentage impact on traffic volumes generated by the proposed development on the road network in Greenfield Park was undertaken. It is provided that in total the proposed development will increase traffic volumes on Greenfield Park by 18% over the 12 hour period 07.00 -19.00. It is noted that while this figure may seem high taken in isolation, the scale of the percentage impact is due to the low levels of base year traffic flow on Greenfield Park within that 12 hour period. It is provided that the maximum predicted hourly traffic flow on Greenfield Park with the proposed development in place, is considered to be within the expected capacity of the road.

7.18.2. It was found that the results of the Junction Capacity Analysis indicate that currently there are capacity issues on the R138 Stillorgan Road mainline and on Nutley Lane during peak periods, with significant queuing occurring during both peak hours. They consider that this may be due to an area wide traffic management issue, which is not directly associated with the performance of this individual junction. The Greenfield Park arm of the junction flows in parallel with Nutley Lane and operates below practical capacity during both peak hours, with no significant queuing occurring during each traffic cycle. In this context the TA provides that additional traffic volumes can be accommodated to/from Greenfield Park without detrimental effect on the overall operation of the junction. The results of future year Junction Capacity Analysis are outlined on Table 5.7 of the TA. This provides that the Greenfield Park arm of the junction can accommodate the predicted additional traffic generated by the proposed development, while still operating below practical capacity with minimal queuing occurring during both peak hours in both 2017 and 2032.

7.18.3. Section 8 provides details of Potential Constraints/Safety Issues & Mitigation. This includes regard to the narrow width of Greenfield Park especially taking on-street parking into account. They consider that the existing environment in Greenfield Park would be conducive to the shared street concept for bicycle and vehicle movement. The TA provides that from site observations, the on-street parking on Greenfield Park appears to be undersubscribed and considers that the removal of at least one space near the junction would mitigate any risk to vehicles at the lights turning onto the Stillorgan Road. They have regard to Construction Stage and note that Greenfield Park provides the only access to the site. While it will be able to accommodate light trucks a Construction Traffic Management Plan will need to be in place relative to heavy vehicles.

7.18.4. It is provided that the green time allocated in the traffic signal cycle for traffic movements from Greenfield Park onto the R138 Stillorgan Road will be adequate for accommodating the additional development traffic flow owing to it sharing a green

phase with the heavily trafficked Nutley Lane. As such it will not have a detrimental impact on the green time allocated to straight ahead movement on the R138 Stillorgan Road.

7.18.5. While the concerns of local residents have been noted, it is concluded in the TA that the proposal will not result in a material deterioration of road conditions and as a result there are no significant traffic or transportation related reasons that should prevent the granting of planning permission for the development.

7.19. Infrastructural issues

7.19.1. Local residents have expressed concern that the drainage and water supply proposals for this development would put a great strain on the already substandard service provision in the area. An Engineering Services Report has been submitted with the application. This provides details in relation to Storm and Foul Water Drainage and Potable Water Supply. It is provided that a comprehensive sustainable urban drainage system, SuDS is incorporated into the site. It is envisioned that systems will include a sedum roof, soft landscaping and tree pits and attenuation tanks to cater for the storm water volumes experienced during a 1 in 100 year storm event. It is proposed to drain into an existing storm water sewer in Airfield Court. The drainage system for the development is to contain a petrol interceptor. Discharge will be made to a collector sewer, which will discharge via the proposed attenuation and flow control device (Hydrobrake) to equivalent greenfield runoff rates. It is provided that the performance of the proposed drainage system in 30 - year return period storm events has been analysed, which shows that due to the attenuation system no flooding will occur. The analysis of the proposed drainage system in 100-year return storm events shows that no flooding is expected except in specifically designated areas, i.e. detention basins. It is provided that all proposed buildings are at least 500mm above the design 100year water level in the attenuation facility in

accordance with requirements. Calculations of attenuation volume are included in Appendix A of this Report.

- 7.19.2. The new drainage system within the site will flow by gravity and discharge into the existing 225mm public foul sewer located within the block to the west of the development. Foul Drainage calculations are submitted in Appendix B. They also note that drainage calculations were generated for the Airfield Court Network until the point on the N11 where it connects and these are included in Appendix C. The analysis has confirmed that there are no capacity issues within the studied network.
- 7.19.3. It is provided that all services will be provided underground in the interests of amenity. The proposed water supply network is to be connected to the public system located on Airfield Court and will be metered in accordance with practice. The Report concludes that it can be confirmed that the development can be catered for by the current infrastructure.
- 7.19.4. The appellants are concerned about the proximity to their properties of the proposed surface water attenuation area, together with the proposed foul and surface water pumping stations, to the rear of boundaries of nos. 6 – 9 Airfield Park, and that this has the potential to cause serious nuisance and health hazard for local residents. They have concerns about possible cross-contamination and request that if the Board decide to permit that a condition be imposed to relocate one or the other of the pumping stations so that they are no in such close proximity to each other. They consider that the attenuation tank may be constrained by its located in relation to the ramp leading to the semi-basement of Block 5 and that it might be better located on the south side of the block.
- 7.19.5. If the Board decide to permit it is recommended that regard is had to the DCC Drainage Division recommendations and that appropriate Drainage conditions be included.

7.20. Flood Risk

- 7.20.1. A Site Specific Flood Risk Assessment (dated October 2015) has been prepared by O'Connor Sutton Cronin Engineers. The proposed development is entirely residential in nature and is therefore considered to be a highly vulnerable development in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities. The River Dodder is approx.600m to the north of the subject site. Regard is had to the Appendices of this Report and it is noted that the available data indicates that the site is outside the areas of potential risk for fluvial and tidal flooding. It is provided that having regard to the Justification Test, the site is within Flood Zone C for fluvial flooding and is therefore no significant risks occur and the site is appropriate for development.
- 7.20.2. Data from the OPW flood studies indicates that the area of the site might be at risk from pluvial flooding and it is advised that pluvial flooding mitigation measures are incorporated into the drainage design of the buildings. It is recommended that the proposed drainage system incorporate SuDS that will control the discharge rate from the site. It is provided that the proposed drainage system will be designed in accordance with the relevant standards and regulations; the flood risks arising from the proposed drainage infrastructure will be negligible and no further mitigation is required. Also, the flood risk represented by ground water is negligible and no further mitigation is required.
- 7.20.3. Local residents are concerned that the proposal will increase the risk of flooding in this established residential area, particularly having regard to surface water issues. The gardens in Nutley Square are particularly mentioned. The available data shows that the site is within Flood Zone C for Fluvial and Tidal flooding and a Justification Test is not required in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities. The Flood Risk Assessment

concludes that there are no records of flooding within or in the vicinity of the subject site and therefore, the site is not considered at risk of flooding.

7.20.4. It is noted that the Drainage Division of DCC recommend that the flood mitigation measures as outlined in the Flood Risk Assessment submitted be implemented and it is recommended if the Board decide to permit that this be conditioned. Also that a condition be included to minimise the risk of basement flooding in accordance with the DCC Drainage Division recommendations. i.e: *To minimise the risk of basement flooding, all internal drainage must be lifted, via pumping, to a maximum depth of 1.5m below ground level before being discharged by gravity from the site to the public sewer.*

7.21. **Other issues**

7.21.1. The proposed development is subject to the requirements of Part V of the Planning and Development Acts 2010-2016. The applicants provide that they are willing to enter into such an agreement with the Council having regard to the provisions of the Act and that they will comply with a condition relative to the implementation of Part V in this respect.

7.21.2. The Third Parties are concerned about the impact of the construction stage of the proposed development particularly relative to construction noise, dust, air pollution and traffic. The First Party provide that a detailed Construction Management Plan will be prepared in relation to safety and amenity of the surrounding area throughout construction phase in accordance with the relevant national standards in liaison with the Council were required. Regard is also had to Materials and Storage, and a Waste Management Plan including a Site Waste Management Plan. They provide that it is the intension of the applicant to privately manage the proposed development. A Management company will be set up to this effect and Dublin City Council is not being asked to take any of the scheme in charge.

7.22. Screening for Appropriate Assessment

- 7.22.1. Regard is had to the relevant legislation and guidelines. A Stage 1 Report has been prepared and submitted with the application. A desk study and field visit have been carried out. Regard is had to the 'source-pathway-receptor model'. Section 3.1.2 of this Report provides details of the Relevant European sites, Fig. 1 shows the location of the site relative to these Natura 2000 sites. The most proximate sites are South Dublin Bay cSAC (000210), and South Dublin Bay and River Tolka Estuary (004024). Table 1 lists the European sites in closest proximity to the proposed development site, outlines their reasons for designation and discusses potential impacts or risks to these sites from the proposed development.
- 7.22.2. The site itself comprises a mix of habitats of minimal ecological value. No evidence of any species or habitats with links to European sites was recorded during either the field survey or desk study undertaken and no 'reservoir' type habitats are present. No watercourses are present either on or proximate to the site, the River Dodder (approx. 600m to the north west) and Elm Park Stream (700m to the south east). These watercourses flow into Dublin Bay; however neither is connected hydrologically to the proposed development site.
- 7.22.3. It is provided in the Screening Report, that two trunk main sewers run along the south eastern boundary of the site and the Belfield/UCD wastewater siphon chamber is located immediately adjacent the site to the south east. As shown on Fig. 2.42 of the Design Statement a 15m wide way leave restricting development exists along the south east boundary of the site for the Siphonic Truck sewer. It is provided that the existing 15m way leave for the trunk mains along the south eastern edge of the site will not be developed, but will form part of the landscaped features.
- 7.22.4. Foul water arising at the proposed development will be treated at Ringswater Wastewater Treatment Plant prior to discharge to Dublin Bay. It is noted that while this is a fully serviced site, it is considered important that appropriate mitigation

measures including relative to surface water disposal in accordance with current standards and guidelines are implemented, maintained and monitored both at construction and occupation stages.

7.22.5. The Stage 1 Screening Report concludes that these measures will ensure that there will be no impacts on water quality, and therefore no impacts on the qualifying interest of any of the designated sites of Dublin Bay and elsewhere as a result of the proposed development. It is therefore concluded that having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no significant effects or appropriate assessment issues arise.

8.0 Recommendation

8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

9.0 Reasons and Considerations

Having regard to this zoning objective, the nature and scale of the proposed development and to the character and pattern of existing and permitted development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or other amenities of the area, would not be prejudicial to public health, would not pose an unacceptable flood risk, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 submitted on the 23rd day of June 2016 and by the further plans and particulars received by An Bord Pleanála on the 8th day of September, 2016, 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 interests of clarity

2. The development shall be amended to provide for a total of 58 dwelling units only, as follows:-
 - (a) Block no.1 shall be omitted from the development scheme.
 - (b) Block no.5 shall be sited 5metres further forward from the northern site boundary, the other blocks shall also be moved 5metres further forward and there shall be a minimum of 15m separation distance between each block.

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 visual and residential amenity

3. Details of the materials, colours and textures of all the external finishes to the proposed blocks, including balconies and terraces,

shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Each proposed apartment shall be used as a single dwelling unit only and shall not be sub-divided in any manner or used as two or more separate habitable units.

Reason: To prevent unauthorised development.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to the commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;
- (b) locations of trees to be retained and the measures to be put in place to ensure their protection during construction works;
- (c) details of proposed landscape planting in the development, including details of proposed species and settings and boundary planting;
- (d) details of all boundary walls around the perimeter of the site;
- (e) details of landscaping of all open space and play areas;
- (f) details of proposed street furniture, including bollards, lighting, fixtures or seating;

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

6. 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 authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

7. The internal road network serving the proposed development, including turning bays, junctions, pedestrian crossings, parking areas, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works.

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

8. At least one car parking space shall be allocated to each residential unit within the scheme. Car parking spaces shall be sold off in conjunction with the units and not sold separately, or let to avoid non take-up by residents. Details of all car parking allocation, including visitor spaces, shall be submitted with updated taking-in-charge plans to the planning authority for agreement in writing prior to commencement of development.

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

9. Bicycle parking spaces shall be provided within the site in accordance with the requirements of the planning authority. 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.

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

10. 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 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. This plan shall provide for screened communal bin stores for the apartment units, 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.

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 interests of visual and residential amenity.

12. Water supply and drainage arrangements including basement drainage, and 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

13. Public lighting shall be provided in accordance with a scheme, to include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Light spillage into the adjoining residential neighbourhood shall not be permitted and details submitted shall include how night time intrusion is to be prevented.

The agreed lighting system shall be fully implemented and operational, before the proposed development is made available for occupation.

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

14. Proposals for an estate/street name, unit 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 unit 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 names of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed names.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

15. 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) Provision of parking for existing properties at during the construction period.

(j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

(k) 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.

(l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.

(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

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 interest of amenities, public health and safety

16. Site development and building works shall be carried out only between the hours of 0800 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.

17. 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, parking spaces 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.

18. (a) 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.

(b) No apartment shall be occupied until all the services have been connected thereto and are operational.

Reason: In the interest of the timely provision of services and the proper planning and sustainable development of the area.

19. 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 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 of the area.

20. 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 Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

21. 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.

Angela Brereton

Planning Inspector

4th of November 2016