



An
Bord
Pleanála

Inspector's Report ABP301045-18

Development	Demolition of all existing buildings and structures on site and the construction of a three-storey office building and ancillary works and services.
Location	Lands and Buildings adjoining Part of the Halfway House Pub at the junction of the Long Mile Road and Walkinstown Road, Dublin 12.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	4390/17.
Applicant	Canmar Properties Limited.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party -v- Refusal.
Appellant	Canmar Properties Limited.
Observers	Manotherm Limited.
Date of Site Inspection	10 th July, 2018.
Inspector	Paul Caprani.

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1.0 Introduction

ABP301045-18 relates to a first party appeal against the decision of Dublin City Council to issue notification to refuse planning permission for the demolition of all structures on a site near the junction of the Long Mile Road and the Walkinstown Road and the construction of a three-storey office building with ancillary works and services. Dublin City Council, in its single reason for refusal, stated that the proposed development would inhibit the development potential of adjoining sites, is not consistent with the established pattern of development in the vicinity and fails to respond positively to its immediate context including characteristic building widths and architectural form.

2.0 Site Location and Description

- 2.1. The site has a stated area of 352 square metres and is located near the junction of the Long Mile Road and the Walkinstown Road. The site is irregularly shaped. The main portion of the site fronts directly northwards onto the Long Mile Road. It is located to the immediate west of the Halfway House Public House which is located directly at the junction of the Long Mile Road and the Walkinstown Road. The Halfway House is a large two-storey building.
- 2.2. Further west along the Long Mile Road, a recent two-storey office/community centre has been constructed. Surface car parking associated with this office block is located adjacent to the western boundary of the subject site.
- 2.3. The subject site incorporates a long narrow passage which runs southwards, from the main part of the site, providing a modest area of road frontage onto the Walkinstown Road. The road frontage amounts to just less than 4.5 metres. The southern elevation of the Halfway House is located to the immediate east on the Walkinstown Road where a two-storey office development (Manotherm) is located to the immediate west on the Walkinstown Road. The Manotherm premises is setback c.10 metres from the roadway.

- 2.4. The site has a frontage of approximately 32 metres and a width of c.7 metres fronting directly onto the Long Mile Road. The narrow strip of the site to the rear which links with the Walkinstown Road is approximately 23 metres in length. The rear of that part of the site facing onto the Long Mile Road backs onto the rear garden of Manotherm premises. The rear garden of no. 6 Walkinstown Avenue is located further southwest of the subject site.
- 2.5. The site currently accommodates a number of single-storey sheds the largest of which is a lock-up shed facing directly onto the Long Mile Road contiguous to the Halfway House.

3.0 Proposed Development

Planning permission is sought for the demolition of existing sheds on site and the construction of a three-storey office development fronting directly onto the Long Mile Road. The footprint of the office development is to cover almost the entire area of the site fronting onto Long Mile Road. It is to rise to a roof height of 10.2 metres which is slightly above the ridge height of the adjoining public house to the east and is commensurate to the roof height of the office development fronting onto the Long Mile Road further west. The building is to incorporate extensive glazing over three levels on the north elevation fronting onto the Long Mile Road. Open plan office space with toilets is proposed on each of the office floors. The main entrance and service core, are located at the eastern end of the building, adjacent to the Halfway House. The western end of the building is also to accommodate an additional stairwell. The total gross floor area of the building proposed is 592 square metres. The floor area of the buildings to be demolished amounts to 108 square metres. The narrow strip of land to the south of the site fronting onto the Walkinstown Road is to be paved and landscaped and is to provide a cycle parking area. An access door is to be provided along this laneway providing access to the rear of the building.

4.0 Planning Authority's Decision

4.1. Decision

- 4.1.1. Dublin City Council refused planning permission for a single reason which is set out in full below.

'The proposed development, providing elevations directly onto its southern and western boundaries by reason of restricted width/depth of the subject site and its immediate development context, would inhibit the development potential of adjoining sites. The proposed development is not consistent with the established pattern of development in the vicinity, in terms of materials and design, and fails to respond positively to its immediate context including characteristic building plot widths, architectural form and materials and details of existing buildings contrary to Sections 16.2.1.1 (respecting and enhancing character and context) and 16.2.2.2 (infill development of the Dublin City Development Plan 2016 – 2022). Therefore, the proposed development, in itself or by the precedent a decision would provide for similar excessive development on severely restricted sites would be contrary to the proper planning and sustainable development of the area.'

4.2. Documentation Submitted with the Application

- 4.2.1. The development was accompanied by public notices, planning application form, a Design Statement and associated drawings. The design statement sets out details of the nature of the proposal, the overall design concept and the relationship between the proposed building to its surrounding context. Details of the composition and materials, parking and open space provision are also set out in the statement.

4.3. Observations

- 4.3.1. Two letters of objection were submitted. Firstly, by the resident of No. 6 Walkinstown Road and secondly by the occupiers of the building to the immediate south-west of the site facing onto Walkinstown Road - Manotherm Limited. The observations argue that the proposed development is of excessive height and the design is out of character with the area.

4.4. Internal Reports

- 4.4.1. A report from the Engineering Department Drainage Division stated that there is no objection subject to conditions.
- 4.4.2. A report from the Roads, Traffic and Planning Division states that there is no objection subject to a number of conditions being attached, including the requirement for a construction management plan, a mobility management plan, details of cycle parking and repairs to the public roads etc.
- 4.4.3. The planner's report sets out details of the application and notes the objectors/observations on file. It also sets out details of the planning history. The planning appraisal notes that the proposed development would exceed the height of the pitched roofs of neighbouring structures by approximately 1.4 to 1.5 metres. The rear elevation of the proposed development would be separated by 11 to 15 metres from the rear garden of No. 6 Walkinstown Road. It notes that the lack of light penetration on the rear and side elevations is somewhat offset by the provision of an entirely glazed office frontage onto the Long Mile Road. It is stated that the use of cement render panels on the side and rear elevation are not representative of the established pallet of materials in the vicinity. Concerns are expressed in relation to the blank elevation to the rear of the site. In conclusion, it is noted that there is no precedent for the construction of a three-storey office building at this location as the previous decision by the Board under PL29S.204960 involved the provision of retail units. The construction of this three-storey office building directly onto its southern and western boundaries, characterised by blank elevations, would inhibit the development potential of sites to the south and west. It is noted that the three blank elevations and the excessively glazed north facing elevation are a design response to the limited scale of the subject site particularly its restricted depth. It is therefore recommended that planning permission be refused for the reasons set out above.

5.0 Planning History

- 5.1. Two appeal files are attached. Under Reg. Ref. 245075, which relates to a large site on the southern side of the Long Mile Road c.50 metres to the west of the subject site, the Board overturned the decision of the Planning Authority to refuse planning

permission and granted planning permission for the development of 61 residential units on the subject site.

- 5.2. Also attached is PL 29S 244514, an application and appeal relating to the demolition of existing buildings and the construction of a café with drive-thru restaurant together with associated works on a site between the Walkinstown Road and Balfe Road to the south-east of the subject site.
- 5.3. Of more relevance is a decision of the Board concerning the subject site, details of which are contained in the planner's report on file. This file is not attached.
- 5.4. Under ABP PL29S.204960, An Bord Pleanála issued a decision to grant planning permission for the partial demolition of a single-storey building on the subject site and the construction of a three-storey mixed use development comprising of ground floor retail units with one fronting onto the Long Mile Road and one fronting onto the Walkinstown Road with offices above on two floors. While the planning inspector recommended a refusal of planning permission on the grounds that the development fails to provide a satisfactory form of development in terms of site coverage, pedestrian safety and provision of cycle parking etc., the Board overturned the recommendation and decided to grant planning permission for the proposed development.
- 5.5. Condition No. 2 of this permission required that *“part of the proposed development consisting of one retail unit at ground floor level with one office unit above on the Walkinstown Road to the south-west of the Halfway House shall be omitted from the proposed development. This part of the site shall be developed and maintained as a service entrance area including bicycle parking and waste storage. Plans showing compliance with this requirement shall be submitted to and agreed with the Planning Authority prior to the commencement of development”*.

6.0 Grounds of Appeal

- 6.1. The decision of Dublin City Council to issue notification to refuse planning permission was appealed on behalf of the applicant by Simon Clear and Associates, Planning and Development Consultants. The grounds of appeal are outlined below. It is noted that Dublin City Council has designated a 'District Centre Zoning' on all frontage around the Long Mile Road/Walkinstown junction and it is noted that offices

of up to 600 square metres are permissible on such lands. Reference is made to the planning history associated with the site where the Board overturned the decision of the Planning Authority and granted permission for the proposed development. It is noted that the grant of permission conditioned the omission of development fronting onto Walkinstown Road and that this part of the site shall be developed and maintained as a service entrance including bicycle parking and waste storage. This condition was carefully considered in designing the proposed development. Reference is made to the design statement prepared by Douglas Wallace Architects and it is noted that:

- The main entrance to the proposed office block is along Long Mile Road with a secondary entrance onto Walkinstown Road.
- The volumes and heights of the building are similar to that previously granted by the Board.
- The building has been designed to provide universal access to meet current Building Regulations.
- The existing site frontage is essentially a visually unpleasant gap between two existing developments.

- 6.2. The grounds of appeal go on to outline the local authority officer's reports and comments in respect of the proposal.
- 6.3. The appeal then sets out the policy context and specific reference is made to the National Planning Framework which seeks to encourage and redevelop brownfield sites within built-up areas and the subject site would meet such criteria. It is also argued that there is a general move away from rigidly applied blanket planning standards in relation to building designs, in favour of performance based standards to ensure well-designed high-quality outcomes.
- 6.4. Reference is also made to the City Development Plan and in particular the zoning provisions in the plan which seek to ensure that adequate land is made available to meet population and economic targets. It is also noted that the plan encourages intensification of development along public transport corridors with a mixed use approach. It is noted that the Walkinstown Road/Long Mile Road accommodate high quality bus corridors. The Dublin City Development Plan generally encourages

intensification and consolidation including infill development as part of its core strategy. It is suggested that the planning officer failed to take into account the zoning provisions as they relate to the site, the provisions of the County Development Plan in respect of urban intensification, and the precedent set for a similar development in the grant of planning permission by An Bord Pleanála for a flat roof office building on the site. It is noted that the proposed development is permitted in principle under the land use zoning objective and is intended to read as an office building and is designed as such for suburban district centres.

- 6.5. While it is acknowledged that the proposed development differs in character to the surrounding buildings, nonetheless the proposal seeks to improve the character of the area and provides a modern architectural design solution for the site. It is argued that the proposed development is consistent with the provisions of Section 16.2.2 of the Development Plan. Reference is made to the Architectural Design Statement submitted with the application. The blank elevations to the south and west prohibit overlooking and rather than inhibit development of adjoining sites, it will facilitate the development directly up to the western/south western boundary. In conclusion it is argued that the Planning Authority assessment of the proposed development does not take higher level guidance or the local context into account while assessing the proposed development.
- 6.6. A copy of the Design Statement and an architectural response to the decision of the Planning Authority is also attached. It was prepared as a separate document by Douglas Wallace Architects.
- 6.7. It argues that the design response seeks to incorporate blank frontages to the rear and sides in order to facilitate development on the adjoining site and to prevent overlooking. It is also stated that the proposal will create no overshadowing impact on adjoining sites as the building is located to the north.
- 6.8. From an architectural and urban design perspective it is argued that the existing receiving environment is a low quality suburban type streetscape characterised by a broken and incoherent pattern of development with no discernible form or logic. There is no consistent or uniform pattern of development in the area. It is also noted that there are numerous examples of contemporary type infill development in the immediate vicinity. The responses go on to set out the rationale behind the design

approach and the materials used in the proposed office building. It is also argued that the proposed development is not of excessive scale as suggested in the planner's report, and fully complies with plot ratio and site coverage requirements in the Development Plan. The Board is therefore requested reject the Planning Authority's conclusion and grant planning permission for the proposed development.

7.0 Appeal Responses

It appears that Dublin City Council have not submitted a response to the grounds of appeal.

8.0 Observations

One observation was submitted from the occupiers of the adjacent building to the south-west along the Walkinstown Road – 'Manotherm Limited'. This observation objects to the proposed development for the reasons set out below.

- The building at three storeys is too high and the style is out of character with other buildings in the area.
- There are no car parking facilities for office staff, customers or clients.
- Traffic flow along both the Walkinstown Road and Long Mile Road are restricted by bus lanes.
- The height of the proposed building may affect available light to adjoining premises at certain times of the year. The windows at the gable end of the observer's premises facing Halfway House may no longer have sufficient light.
- No photomontages/3D sketch have been submitted to demonstrate the impact arising from the proposal.
- The operation of plant and equipment on site together with continuous arrival and departure of trucks to this extremely confined site will cause disruption to the observer's business.
- The proposal may also result in extreme difficulties for customers seeking to access the observer's business. Concerns are expressed that the observer's

may be losing some ground to the proposed development and there is no clarity in relation to the existing boundary wall.

- The proximity of the proposed toilets to the existing adjoining premises needs clarification with regard to the construction and underpinning of foundations etc.
- There appears to be no room to provide requisite scaffolding in order to construct the proposal.
- There are windows on the new south-east facing elevation which do not appear on the plans.

9.0 Development Plan Provision

9.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016 – 2022. The subject site is zoned Z4 “*to provide for and improve mixed serviced facilities*”.

9.2. Section 16.2.1 of the Development Plan relates to design principles. All development will be expected to incorporate exemplary standards of high quality sustainable and inclusive urban design and architecture befitting the city’s environment and heritage and its diverse range of locally distinctive neighbourhoods. In the appropriate context, imaginative contemporary architecture is encouraged, provided that it respects Dublin’s heritage and local distinctiveness and enriches the city environment. Through its design, use of materials and finishes, development will make a positive contribution to the townscape and urban realm and to its environmental performance. In particular, development will respond creatively to and respect and enhance its context and have regard to:

- The character of adjacent buildings, spaces around and between them and the character and appearance of the local area and the need to provide appropriate enclosure to streets.
- The character, scale and pattern of historic streets, squares, lanes, mews and passageways.
- Existing materials, detailing building lines, scale, orientation, height, massing and plot width.

- The form, character and ecological value of parks, gardens, and open spaces and Dublin's riverside and canal side settings.
- 9.3. All development proposals should contribute to the creation of attractive, active, functional and public accessible streets and spaces (between buildings) promoting connectivity, walking and resisting the gating of streets. Gated developments would be discouraged as they prevent permeability.
- 9.4. In assessing new development consideration will be given to how the design has responded to the existing context and its relationship with the established patterns, forms, density and scale of the surrounding townscape, taking account of existing rhythms, proportions, symmetries, solid to void relationships, the degrees of uniformity and the composition of elevations, roofs and building lines.
- 9.5. Section 16.2.2.2 of the Development Plan relates to infill development.
- 9.6. Dublin City Council will seek to:
- Ensure that infill development respects and complements the prevailing scale, architectural quality and degree of uniformity in the surrounding townscape. In areas of low quality, varied townscape infill development will have sufficient independence of form and design to create new compositions and points of interest and have regard to the form and materials of adjoining buildings, where these make a positive contribution to the area.
 - Under the Z4 zoning objective offices of up to 600 square metres are deemed a permissible use while offices of up to 1,200 square metres are open for consideration. In respect of district centres, the development plan notes that district centres which include urban villages provide a far higher level of service than neighbourhood centres. They have outlets of greater size selling goods or providing services of a high order and their catchment area extends spatially to a far greater area than the neighbourhood centres. They are identified as providing a comprehensive range of commercial and community services.

10.0 Planning Assessment

I have read the entire contents of the file, have had particular regard to the reasons set out in the Planning Authority's refusal and the rebuttal arguments set out in the grounds of appeal and I have also had regard to the issues raised in the observation on file. Finally, I visited the site and its surroundings prior to setting out my assessment below. I consider the pertinent issues in determining the current application and appeal before the Board are as follows:

- Principle of Development on Site
- Impact on the Development of Adjoining Sites
- Design Considerations
- Precedent Decisions
- Other Issues

10.1. Principle of Development on Site

- 10.1.1. A key consideration in determining the current application and appeal before the Board relates to the Z4 zoning objective governing the site. This land use zoning objective seeks to provide for and improve mixed serviced facilities in district centres. The plan envisaged that district centres will have outlets of greater size, selling goods or providing services of a higher order than that associated with neighbourhood centres. The plan also notes that higher densities will be permitted in district centres particularly where they are well served by public transport. The subject site is served by high quality bus network along both the Walkinstown Road and the Long Mile Road. I note that office development of up to 600 square metres is deemed to be a permissible use under the Z4 land use zoning objective. The office development before the Board at 592 square metres complies with this requirement. The land use as proposed therefore is acceptable in principle under the land use zoning provisions set out in the development plan and this, in my opinion is an important consideration in determining the application and appeal before the Board.
- 10.1.2. Furthermore, the proposal accords with many of the policies and principles governing the land use component of the National Planning Framework. This recently adopted National Plan seeks to utilise and maximise development on

serviced brownfield sites creating a more compact city. I note on page 28 of the NPF it is stated that “*a preferred approach would be compact development that focuses on reusing previously developed ‘brownfield land’ building up infill sites which may or may not have been built on before and either reusing or developing existing sites and buildings*”. It is clear therefore that the NPF envisages sites such as that currently before the Board as being eminently suitable to accommodate higher density infill development so as to maximise floor space within existing built up areas.

10.1.3. In my opinion therefore having regard to the land use zoning objective set out in the development plan and the wider strategic issues set out in the National Planning Framework, the principle of development should be deemed acceptable on the subject site. The next section of my assessment will deal with specific concerns set out in the Planning Authority’s reasons for refusal.

10.2. **Impact on the Development of Adjoining Sites**

It is acknowledged that the subject site is an awkward shaped site which prevents particular challenges in terms of developing the site at appropriate and sustainable densities. The proposal seeks to maximise the development potential of the site and the layout is configured to ensure that elevations on adjoining contiguous land boundaries incorporate no windows. Rather than inhibiting development as suggested in the reason for refusal by Dublin City Council, I would argue that the design approach which eradicates the potential for overlooking facilitates any redevelopment potential of adjoining sites.

In order to compensate for the lack of windows on the rear or side boundaries of the proposed development, it is proposed to incorporate extensive glazing on the front elevation in order to ensure that adequate levels of daylight and sunlight penetration occur. This in itself, necessitates a more contemporary design approach in seeking a design solution for the subject site. The north facing aspect of the front elevation makes the use of extensive glazing all the more appropriate, and somewhat imperative in terms of maximising daylight and sunlight penetration into the building.

10.3. **Design Considerations**

The overall design approach is contemporary and radically different in building form to those buildings located in the immediate vicinity. Notwithstanding this, the Board

should note that there are a number of more contemporary buildings in the wider area including the more recently constructed Bank of Ireland building which fronts onto the Long Mile Road between the Walkinstown Road and the Balfe Road, approximately 100 metres to the east of the site. Thus, while there can be doubt that the proposed development constitutes a significant departure from the form and character of buildings in the immediate vicinity, it is not an inappropriate intervention from an architectural point of view in my opinion. I would agree with the appellants that the existing public realm is weak at this location and is characterised by low density and low quality public thoroughfares with a mixture of traditional suburban and pastiche architecture dominated by wide roads and expensive surface car parking surrounding buildings adjacent to public roadways. The proposal represents a significant intensification of land use and I consider this to be appropriate in urban design terms and will contribute to the NPF objectives of creating more compact urban growth at appropriate locations. I would agree with the appellants that it is inappropriate to imitate pastiche and suburban type designs at the location in question.

10.4. **Precedent Decisions**

Details of the previous Board order and inspector's report in respect of Reg. Ref. 29S.204960 are contained on file (pouch to the front of file). Notwithstanding the fact that the inspector recommended a refusal of planning permission, the Board did not accept the recommendation to refuse planning permission for a three-storey mixed use development on site. Having regard to the overall height and site coverage it appears that the previous proposal on site which was granted planning permission by the Board was of a similar size and scale to that currently proposed. Thus, it can be reasonably argued that the principle of the quantum of development proposed at the subject site has already been accepted by the Board. In granting planning permission for the previous application, the Board considered it appropriate to omit that part of the development facing onto the Walkinstown Road. This comprised of one retail unit at ground floor level with an office unit above to the south-west of the Halfway House Public House. The Board required (as per Condition No. 2), that this part of the development shall be omitted and the residual area shall be developed and maintained as a service entrance and area including bicycle parking and waste storage. The Board will be aware that that this design approach has been included in

the current application before it. Notwithstanding the fact that this decision was made in 2004, I consider the precedent decision by the Board is relevant to the current application before it as it demonstrates that the Board was generally satisfied with the quantum of development proposed for the subject site under the previous application.

10.5. Other Issues

- 10.5.1. An observation was submitted by Manotherm Limited the commercial enterprise to the immediate south-west on Walkinstown Road and the concerns raised in the observation are briefly commented upon below.
- 10.5.2. It is argued that the building at three-storeys is too high. I acknowledge that the scale of buildings in the immediate vicinity are predominantly two-storey. However, a precedent exists for a three-storey building on the subject site with the grant of permission under PL29S.204960. Furthermore, as already stated national policy seeks to facilitate more compact growth in built up urban areas. For these reasons I consider a three-storey development to be appropriate on the subject site.
- 10.5.3. I acknowledge that no car parking facilities have been provided for office staff. However, the subject site is not of sufficient size and scale to provide appropriate levels of on street car parking. It would be appropriate in my view that where the Board are minded to grant planning permission for the proposed development that a condition could be attached requesting that the applicant S48 contribution which will contribute towards investment in infrastructure and services which will facilitate more sustainable forms of transport. As already mentioned the subject site is well served by public transport.
- 10.5.4. Concern is expressed in relation to overshadowing. The subject site is located to the north of the observer's premises. As such, very little, if any overshadowing will occur to the rear of the observer's property.
- 10.5.5. It is inevitable that the construction of the office building may cause some annoyance and disruption to business in the vicinity. However, this is an inevitable consequence of the construction process and is temporary in duration. It does not in my view constitute reasonable grounds for refusing planning permission.
- 10.5.6. With regard to construction of any scaffolding etc. in order to carry out the development this will be a matter to be agreed between the parties concerned. The

Board are required to adjudicate on the proposed development as to whether or not it is in accordance with the proper planning and sustainable development of the area. Any third party disputes with regard to erection of scaffolding or underpinning of foundations etc. is a matter for the parties concerned and not a matter for An Bord Pleanála.

10.5.7. Likewise, any alleged boundary dispute is a civil matter between the parties concerned and not a matter for An Bord Pleanála. The Development Management Guidelines are clear in stating that *“the planning system is not designed as a mechanism for resolving disputes about title to lands or premises or rights over lands. These are ultimately matters for the resolution in the Courts”*. In this regard it should be noted that as Section 34(13) of the Planning Acts states a person is not entitled solely by reason of a permission to carry out any development.

11.0 **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and nature of the receiving environment, together with the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

12.0 **Conclusions and Recommendation**

Arising from my assessment above therefore I consider the proposed development to be acceptable in principle as it fully complies with the land use zoning objectives pertaining to the site and the wider strategic policies for facilitating more compact growth within existing built up areas. I also consider the contemporary design to be acceptable and the proposal will not adversely impact on development potential of adjoining sites nor would it adversely impact on the amenities of surrounding premises. I therefore recommend that planning permission be granted for the proposed development.

13.0 Decision

Grant planning permission for the proposed development in accordance with the plans and particulars lodged based on the reasons and considerations set out below.

14.0 Reasons and Considerations

Having regard to the Z4 zoning objective relating to the subject site which seeks to provide for an improve mixed serviced facilities and the fact that office developments are permitted in principle under this land use zoning objective, it is considered that the nature and scale of the proposed development, subject to compliance with conditions set out below would not seriously injure the amenities of the area or property in the vicinity, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

15.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements including the 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 and to ensure proper standard of development.

3. Details of the proposed materials, textures and colours of all the proposed external finishes including details of the durability and weathering capacity of such materials shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

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

Reason: In the interest of sustainable waste management.

5. The scheme shall be landscaped in accordance with a scheme of landscaping to be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development and visual amenity.

6. No additional development shall take place above parapet level including lift motor enclosures, air handling equipment, storage tanks, ducts or any other external plant or telecommunication aerials unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provisions amending or replacing them shall be displayed or erected on the building or within the curtilage of the site unless authorised by a further grant of permission.

Reason: In the interest of visual amenity.

8. Site development and construction works shall be confined to the hours of 0700 to 1800 hours Monday to Friday excluding Bank Holidays and 0800 to 1400 hours on Saturdays and not at all on Sundays. Deviation from these times will only be permitted in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of residential amenity and clarity.

9. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

10. 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. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

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

Paul Caprani,
Senior Planning Inspector.

9th August, 2018.