



An
Bord
Pleanála

Inspector's Report ABP-304526-18

Development	Extension to the Front, Side & Rear of House & Change of Use from Residential to Pre / After School & Creche
Location	117 Grange Abbey Crescent, Donaghmede, Dublin 13 D13 A0E4
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	2109/19
Applicant	Caroline Healy
Type of Application	Planning Permission
Planning Authority Decision	Granted, with Conditions
Appellant – 3rd Parties	1. Grainne & Derek Brady 2. Elizabeth & Dermot McMahon 3. Grange Abbey Residents Association
Observers	None
Date of Site Inspection	28 th August & 20 th September 2019.
Inspector	L. W Howard.

1.0 Site Location and Description

- 1.1 The application site is located fronting onto the western side of Grange Abbey Crescent, Donaghmede, Dublin 13, and comprises the southern half of a pair of 2-storey semi-detached dwellinghouses, which themselves form the southern end of the row of similar 2-storey semi-detached houses fronting on Grange Abbey Crescent.
- 1.2 The application site has the address of No.117 Grange Abbey Crescent, Donaghmede, Dublin 13, D13A0E4.
- 1.3 Taking the form of a 'ring-road' (roughly rectangular in shape), with a single entrance / exit from Grange Road / R809, the character of the surrounding Grange Abbey Crescent residential neighbourhood comprises 2-storey semi-detached dwellinghouses, similar to that found on the application site.
- 1.4 A substantial schools campus is located to the southeast of the application site, with frontage onto the southern side of Grange Abbey Crescent. This campus comprises 2no. schools – 'Scoil Bhride Junior National School', and the 'Holy Trinity Senior National School' A single gated, pedestrian only, entrance off Grange Abbey Crescent is located c.15m to the southeast of the application site. Further vehicular and pedestrian access to the schools is via the main entrance off Grange Road / R809 to the west.
- 1.5 The application site – No.117 frontage and single vehicular entrance is located at the outer edge (south-western corner) of the right-angled corner taken by Grange Abbey Crescent.
- 1.6 A public footpath adjoins the southern boundary of the application site, at the south-eastern corner, linking Grange Abbey Crescent with Grange Road / R809 (a bus route) to the west. This footpath exits onto Grange Abbey Crescent, between the entrance onto the application site and the single pedestrian only entrance into the schools campus.
- 1.7 An area of established, well treed 'public open space' exists adjacent and to the south of the application site.
- 1.8 Excepting for the double-yellow lines along the southern frontage of Grange Abbey Crescent, on either side of the single pedestrian only entrance into the schools campus, on-street car parking is available throughout Grange Abbey Crescent.

- 1.9 A generous footpath exists along both frontages of Grange Abbey Crescent, throughout its length, enabling both pedestrian / vehicular separation and intervisibility.
- 1.10 See attached series of photographs taken at the time of physical inspection.

2.0 Proposed Development

2.1 Planning permission is sought for development at No.117 Grange Abbey Crescent, Donaghmede, Dublin13, advertised as follows :

- Construction of a new ground floor only extension to the front, side and rear of the existing dwellinghouse (c.31m²)
- the change of use of the ground and 1st floor area of the house from domestic residential use, to be used as a 'pre / after school and crèche' (stated floor area – 119m²), and
- all ancillary site works

2.2 The stated hours of operation and capacity of the proposed 'Pre-school' / 'After-School' and 'Creche' are noted as follows :

'Pre-School'

Hours of Operation : 07h30 – 08h45

Capacity : 10no. Children

'Creche'

Hours of Operation : 09h15 – 12h15

Capacity : 20no. Children

'After-School'

Hours of Operation : 13h30 – 18h00

Capacity : 20no. Children

3.0 Planning Authority Decision

3.1 Decision

3.1.1 Planning permission granted, subject to 14no. Conditions.

3.1.2 In the context of the 3rd Party Appeals lodged, the following are considered noteworthy –

C3 compliance with the requirements of the City ‘Transportation Planning Division’.

Reason : In the interests of traffic and pedestrian safety, and sustainable transportation. .

C4 specifications regarding the operating hours of the pre / after school and creche.

Reason : in the interest of residential amenity.

C5 specifications regarding the maximum number of children to be accommodated in the pre / after school and creche.

Reason : to limit the scale of development and protect residential amenities.

C6 adequate ‘sound-proofing’ to be applied to party walls and floors of the building.

Reason : in the interest of residential amenity, and to minimise noise disturbance to adjoining dwelling

C7 specifications restricting noise levels from the proposed development.

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

C8 specifications regarding advertising sign or structure

Reason : in the interests of orderly development, and to ensure effective control is maintained.

- C9** required provision of facilities for the collection of recyclable waste.
Reason : to ensure the site / facility is adequately serviced, and to prevent creation of a public health nuisance.
- C10** compliance with the requirements of the City 'Drainage Division'.
Reason : in the interests of public health.
- C11** compliance with the requirements of set out in the 'Codes of Practice' from the City 'Drainage Division', the 'Transportation Planning Division', and the 'Noise & Air Pollution Section'.
Reason : to ensure a satisfactory standard of development.
- C12** specifications regarding days and hours of site and building works.
Reason : to safeguard the amenities of adjoining residents.
- C13** compliance with specified noise control standards.
Reason : to safeguard the amenities of adjoining residents
- C14** mitigation of negative impact of site development and construction works on the local adjoining road / street network.
Reason : ensure local roads / streets kept in a clean and safe condition

3.2 Planning Authority Reports

The report of the Deputy Planning Officer can be summarised as follows :

3.2.1 Zoning / Land Use

- Application site designated with Zoning Objective 'Z1' – "To protect, provide and improve residential amenities".
- Land use class 'Childcare Facility' is 'permitted in principle'.
- Having regard to the Appendix 21 Definitions regarding 'Childcare facility' and 'Sessional Service', and to the applicants stated 'sessional

hours of operation' of the proposed development, consider that the proposed pre / after school and creche facility comprises a 'sessional service'. (note : Notwithstanding that "the afterschool session is 4½ hours long and the use operates over a full day").

- Although "permitted in principle", the proposed development must satisfactorily comply with the relevant policies, standards and requirements of the Development Plan.

3.2.2 Compliance with Council Policy regarding Childcare Facilities

- **Impact on Amenity**
 - Contextually reference application site / proposed 'pre / after school and creche), located at the end of the end of a row of houses, within an established residential neighbourhood, and proximate to a cluster of schools.
 - Specifically, the existing entrance onto the site located at outer edge of the 'right angled corner' of Grange Abbey Crescent onto which it fronts. This driveway entrance off Grange Abbey Crescent is shared with a pedestrian walkway linking Grange Abbey Crescent with Grange Road to the west.
 - Additional contextual relevance of close proximity to the pedestrian entrance serving 'Scoil Bhríde Junior National School' and 'Holy Trinity Senior National School'.
 - The roadside edge immediately to the front / east of the site, and to the front / north of the adjoining school site, is marked with a stretch of 'double yellow lines' to either side of the school pedestrian entrance.
 - Weighted reference to Section 13.1 "Guidelines for Childcare Facilities in New and Existing Residential Areas", of Appendix 13 of the City Development Plan 2016-2022. Section 13.1 sets out several considerations for attention and satisfactory compliance, in any planning application for a 'Childcare Facility'.

- In the current application, threat of negative impact on residential amenity, adjacent and in the neighbourhood, considered as a serious issue for attention by the applicant.
 - Having regard to Section 13.1 of Appendix 13, Planning Authority considered it necessary the applicant be requested to “demonstrate how the proposal complies with these requirements, in particular how the proposal seeks to minimise its effect on the amenity of the adjoining and nearby dwellings”.
- **Further Information (F.I.) Request :**

Issue:

- As above.

Applicant’s F.I. response :

- With respect to the ‘outdoor space’, the Facility will have a ‘back garden space’ that is secure for the children to play in.
- ‘Noise congestion’ will be restricted, by allowing small groups of 6 / 7 children out at one time
- Therefore, if the ‘Early Childhood Care and Education Programme – ECCE’ service operates from 09h15 – 12h15, they would only spend 30minutes a day outside.
- The ‘afterschool children’ expected to spend a maximum of 1hr outside.
- It is intended to bring the older children to local parks etc. on outings.
- Anticipate that any noise generated will be no worse than from the ‘school yard’. Suggest that it could be programmed such that the outdoor play by the Childcare facility occurs at the same time as when the children are out in the yard in the adjacent school. This to minimise disruption to the adjoining house.
- Express willingness “to accommodate immediate neighbours on request, if they had specific requests for times, that didn’t suit them for outdoor”.

Planning Authority Assessment :

- Consider applicant has adequately demonstrated that the proposed development would not adversely impact the residential amenity of adjoining and neighbouring properties, by reason of the following :
 - hours of operation to be restricted to between 07h30 and 18h30
 - a maximum of twenty / 20no. children shall ,be accommodated at the pre / after school and creche, at any one time
 - noise control measures including restricting the number of children in the outside play area to the rear to 6/7 children at any one time for time periods of 30 minutes only
 - older children shall be brought to nearby local parks on outings
 - reference existing noise levels from the existing adjacent school yard
 - sound proofing shall be applied to the walls of the childcare facility building, to eliminate noise disruption to the adjoining dwelling
 - Notwithstanding all of the above, consider that a Condition be attached ensuring all of the above where appropriate, to ensure effective control is maintained, and to restrict adverse impact on the adjoining residential amenity.
 - Conclude that applicants F.I. response to the Planning Authority's 'F.I. Request – Item No.2' is acceptable.
- **Hours of Operation**
 - Having regard to the applicant's submitted statement, setting out the 'hours of operation' for each of the 3no. elements comprising the proposed 'pre / after school and creche'

development, consider that the proposed 'hours of operation' are acceptable 'in principle'.

3.2.3 Proposed Side Extension

- Detailed reference to the individual elements comprising the proposed construction of a single storey extension to the front, side and rear of the existing dwelling on site
- Having reviewed the drawings submitted and noting the context of the site at the end of a row of semi-detached dwellings, consider that the scale, height and extent of the proposed extension would not adversely impact the residential amenity of the adjacent property to the north (ie. No.117) by way of overlooking, overshadowing, loss of outlook, or detract from the visual amenity of the surrounding streetscape.
- The proposed development accords with City Development plan 2016-2022 policy regarding extensions to dwellings.

3.2.4 Traffic / Car Parking

- Weighted reference to the preliminary report of the City Transportation Planning Division, requesting the applicant address key issues, by way of 'Further Information F.I.', as follows –
 - having regard to the limited information available, regarding the operation of the proposed 'pre / after school and creche facility', applicant requested to address the following :
 - 'Hours of operation', and the 'numbers of children' attending the facility,
 - 'How children are to travel' to and from the Facility (eg. walk, cycle or car),
 - details of drop-off / collection arrangements, and how this is to be managed, in order to avoid impact on the surrounding road network. In this regard, applicant to note the ongoing traffic problems locally, and the issues raised within 3rd party objection / observation letters,

- details of cycle / scooter parking. Applicant to provide adequate cycle / scooter parking to cater for the number of children attending the Facility,
- applicant to prepare and submit a sustainable travel plan, outlining the measures to encourage sustainable modes of transport to the facility,
- clarification whether the proposed Facility to accommodate siblings of children attending the adjacent schools.

- **Further Information (F.I.) Request :**

- Issues :

- As above.

- Applicant's F.I. response :

- the creche opening hours to be 07.30am – 6.30pm
 - drop-off times will therefore be before the normal congestion time for school drop-offs to adjacent school (8.30am – 9.00am)
 - the 'Early Childhood Care and Education Programme – ECCE' service will operate from 09h15 – 12h15. This will not clash with 8.30am – 9.00am drop-off to adjacent school
 - Parents take 2minutes for creche drop-offs, unlike the c.15minutes for school drop-offs.
 - there will be a maximum of 20 children at any one time in the creche
 - this will alleviate local traffic problem, as parents will be able to drop-off school going children to the 'Breakfast Club' from 7.30am, and pick-up from after-school until 6.30pm.
 - Clarify 2no. car parking spaces in driveway, for staff. Also a 'bicycle rack'.
 - Staff car to be used for outings for the children.
 - If facility to service another local school, no clash would result, as morning drop-off and afternoon pickup would be outside the pick periods to local congestion proximate to the application site.

- Applicant pledges understanding of local traffic problem, “as we travel from another service 3-times a day to this school, and we will no longer be doing this if we move our service to this area”.
- There may be parents dropping off a child to the crèche, that have children attending the school. However, this will not further impact local traffic, “as they would be dropping their child to school anyway”.
- the children attending the proposed ‘breakfast club’ and ‘afterschool’, will be walked to and from the Childcare Facility, to school. Therefore, no impact on traffic will result.
- Assert conviction that it would be “highly unlikely” a parent would choose to drop-off or collect their child/ren during peak traffic congestion.
Rather, parents would arrive earlier or later, in line with the flexibility of crèches for parents to drop-off and collect.

Planning Authority Assessment :

- No specific details provided by the applicant as to how the children attending the Childcare Facility, will travel to the facility.
- In this regard, note the reference made by the applicant in response that some children attending the Facility may be siblings of children attending the adjacent school. Therefore, drop-offs to the facility would coincide with existing school drop-off arrangements.
- Note applicant’s clarification
 - of the Childcare facility operating hours – 7.30am – 6.30pm
 - that child drop-offs to be before peak school traffic times of 8.30am-9.00am
 - that ECCE Programme runs from 9.15am-12.15pm, thereby not clashing with school peak times
 - a maximum of 20no. Children will attend the creche at any one time

- however, no details provided by the applicant regarding how drop-off / collection arrangements will be facilitated, excepting for statement that Childcare drop-off will take 2-minutes, whereas it takes up to 15minutes for drop-off to the school.
- Note applicants F.I. Drawing illustrating bicycle / scooter parking for 22no. spaces. These to be provided in 'toaster rack' style stands in the front garden.
- Note that the applicant has not submitted a 'Sustainable Travel Plan'
- Note City 'Transportation Planning Division's' opinion that should planning permission be granted, this could be requested by way of a Condition.
- Note applicants clarification that children attending the 'creche', may have siblings attending the adjacent schools.
- Further, children attending both / or either of the 'breakfast club' and 'afterschool', will be walked from the proposed 'Childcare facility' to the school, thereby alleviating the need for vehicular drop-offs / collections.
- Having regard to :
 - The number of children proposed to be accommodated
 - The extended opening hours of the proposed 'Childcare facility' (largely outside of peak school hours), and
 - The site location within an established residential area,
 Consider that the proposed development is acceptable, subject to Conditions as recommended by the City 'Transportation Planning Division' .
- These Conditions include the following :
 - a maximum of 20no. children to be accommodated at any one time,
 - a 'Sustainable Travel Plan' to be agreed with the Planning Authority, prior to commencement of development,

- ‘bicycle / scooter parking’ as indicated in Drawing No.102 (03/04/2019), to be fully installed, prior to commencement of operations,
 - All costs incurred by Council as a result of the development, to be at the expense of the developer, and
 - Developer to comply with the requirements set out in the Code of Practice.
- Conclude that applicants F.I. response to the Planning Authority’s ‘F.I. Request – Item No.1’ is acceptable.

3.2.5 Drainage

- Surface Water

No objection to the proposed development, subject to Conditions.

- Foul Water & Drainage

Comment, no report received from ‘Irish Water’. Notwithstanding, outstanding issues regarding ‘Drainage’ to be addressed by way of Condition, in the event of a grant of planning Permission.

3.2.6 Appropriate Assessment

- Having regard to :

- the nature and scale of the proposed development
- the proximity to the nearest European site,

No ‘appropriate assessment’ issues arise, and

It is considered that the proposed development would not be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

3.2.7 Conclusion

- Having responded to the Planning Authority’s F.I. request, the applicant has addressed the issues raised.

- Therefore consider that the proposed development is acceptable, and in accordance with the ‘policy’ requirements of the Dublin City Development Plan 2016-2022.
- Proposed development therefore accords with the proper planning and sustainable development of the area.
- Consider that any outstanding issues can be dealt with by means of Condition.

3.3 Other Technical Reports

3.3.1 Internal

Drainage Division –	No objection, subject to Conditions.
Transportation Planning Div.	Subsequent to F.I. response submission from the applicant, no objection subject to specified Conditions (see report 17/04/2019)

3.3.2 External / Prescribed Bodies

Irish Water –	None.
Irish Rail –	None.

3.4 Third Party Observations

3.4.1 Several 3rd Party Objections / Submissions referenced as received by the Planning Authority.

3.4.2 An Objection in the form of a ‘signed petition’ submitted by the Grange Abbey residents Association, on behalf of the residents of Grange Abbey Crescent.

The main issues argued were :

- application site is located adjacent the side entrance of the local ‘Junior National School’
- Constant traffic and car parking issues exist locally, impacting on local residents. Proposed creche development will make the existing unacceptable situation worse.
- 4no. creches exist in the Donaghmede Area, and 3no. schools which have ‘after school services’.

- applicant already has “a number of creches in the area, including one in Clarehall. Approximately 5minutes drive away.
- enclosed with the submission :
 - a letter from the Principal of the Junior National School, expressing concern regarding
 - the proposed creche,
 - impact on traffic along Grange Abbey Crescent, and
 - the safety of children at this location.
 - photographs illustrating traffic congestion locally, proximate to the application site and adjacent the School entrance.

3.4.3 “A submission supplemented with a signed petition”, submitted in objection to the proposed development. The main issues included :

- Traffic and parking issues locally.
- Increased traffic at this location would increase danger to local children attending the School. The School Entrance is 4.0m away from the application site.
- enclosed with the submission :
 - a letter from Coolock Garda Station acknowledging the ongoing traffic problem locally, at pick-up and drop-off times.
 - a letter from the Principal of the Junior National School, expressing concern regarding
 - the proposed creche,
 - impact on traffic along Grange Abbey Crescent, and
 - the safety of children at this location.

3.4.4 Other Objections submitted addressed the following, in summary :

- Grange Abbey Crescent is a quiet cul-de-sac bordering on 4no. Primary Schools :
 ‘Scoil Bhríde’ and ‘Holy Trinity’ already have an after-school programme, where children are picked up until 3.30pm.

‘Scoil Cholmcille Primary School’ and ‘Drumnigh Montessori and Primary School’, and after school care. There is also a separate Creche and Montessori, within the Schools grounds.

- Due to the local concentration of schools, creche, montessori and after-school facilities, residents of Grange Abbey Crescent exist in constant battle with vehicles arriving to drop-off or pick-up school children
- Reference bus stop on the main road outside the school. Buses cannot use the stop at schooltimes, because cars are double parked, blocking the bus stop.
- Reference proximity of adjacent pedestrian laneway to the application site, with consequent threat to pedestrian safety (ie. children and the elderly) due to increased indiscriminate vehicular movements.

3.4.5 Planning Authority clarify that no further 3rd party ‘Observations / Representations’ received in response to the applicants F.I. submission.

3.4.6 Planning Authority affirm all objections / submissions received “have been noted and will be taken into consideration in the assessment below accordingly”.

4.0 Planning History

None.

5.0 Policy Context

5.1 National ‘Policy’ / ‘Guidelines’

- Childcare Facilities – Guidelines for Planning Authorities – June 2001 – Department of Environment and Local Government
- Childcare Act 1991 (Early Years Services) Regulations

5.2 Dublin City Dev. Plan (2016 – 2022)

Relevant provisions include (see copies attached) :

S14.8 Primary Land-Use Zoning Categories :

Table 14.1 Primary Land-Use Zoning Categories

Land Use Zoning Objective	Abbreviated Land Use Description
Z1	Sustainable Residential Neighbourhoods

S14.8.1 Sustainable Residential Neighbourhoods – Zone Z1

Zoning Objective Z1 “To protect, provide and improve residential amenities”.

Z1 Permissible Uses – include Residential.

(see copy of pg. 238 attached)

Ch.12 Sustainable Communities and Neighbourhoods

Policy **SN17** “to facilitate the provision in suitable locations of sustainable, fit-for-purpose childcare facilities in residential, employment, and educational settings, taking into account the existing provision of childcare facilities and emerging demographic trends in an area”.

Appendix 13 ‘Guidelines for Childcare Facilities’

The Guidelines provide general advice and principles for ‘childcare facilities’ (see copy attached).

S13.1 New and Existing Residential Areas

- *“In existing residential areas, detached houses / sites or substantial semi-detached properties with space for off-street car parking, and / or suitable drop-off and collection points for customers, and also space for an outdoor play area will generally be permitted, provided the premises remains primarily residential, and traffic and access arrangements do not interfere with general residential amenity”.*
- *“Primary traffic routes where there is suitable and safe pull-in areas to the front for dropping off children by car are more suitable than tight residential cul-de-sacs”*

- *“Applications for full day-care facilities in premises other than those listed above (eg. terraced houses) should be treated on their merits, having regard to parking / drop-off points, layout and design of the housing area and the effect on the amenities of adjoining properties”.*
- *“In relation to sessional and after-school care, the provision of such facilities may be considered in any residential area as ancillary to the main residential use, subject to parking / drop-off points, layout and design of the housing area and effect on the amenities of adjoining properties.
In certain circumstances, such as adjoining schools, the requirement for the premises to remain primarily residential may be relaxed depending on the particular location and character of the site in question”.*

5.3 Natural Heritage Designations

None.

6.0 The Appeals

6.1 Grounds of 3rd Party Appeal – Grainne & Derek Brady (No.119 Grange Abbey Crescent)

The 3rd Party (ie. adjacent, to the north of the application site – No.117) grounds of appeal are set out fully in the documentation dated 22nd May 2019. These may be summarised as follows :

6.1.1 Reference 3rd party objection lodged with the Dublin City Council.

6.1.2 Traffic

- Emphasise concern regarding the extra volume of traffic the Creche Montessori and After School Care will bring.

- Reference the conflict during the School-term that local residents have with drivers, who in dropping children off to school, have no regard to local residents (ie. cars left blocking driveway entrances, with consequence that residents are unable to enter or leave their properties).
- Enclose letters from the local School, and from the Garda, who are called regularly to sort out the traffic.
- Enclose photographs illustrating the daily traffic congestion in the cul-de-sac.

6.1.3 Local Sewerage Pipe Network

- Properties No.119 and 121 have a shared main sewerage manhole in the gardens.
- This is a “major concern” because the pipe gets blocked up and the sewerage rises up regularly.
- Until recently, the neighbours shared the responsibility and cost of retaining contractor services to unblock the pipe (ie. ‘Dyno-Rod’). This service was not sustainable. The neighbours now ‘do it themselves’, having purchased own sets of rods.
- In servicing the pipe network themselves, and flushing the pipe, they have determined that the “main culprit is Baby-Wipes” in the system.
- the necessary maintenance is an ongoing monthly problem, they have to attend to themselves.
- Having regard to an extra 60no. children per day to be catered for, emphasise concern as to the impact of 3no. extra toilets and cleaning up of children will have on them as adjacent neighbours, with shared mains sewerage manhole for maintenance.

6.1.4 Residential Amenity

- Reference they moved into their existing house 36-years ago, because it was is nice, quiet cul-de-sac, with not much through traffic.

- Over the years the nearby schools “have all put on big extensions due to the growing number of children in the area”.
- Consequently, traffic has increased to a dangerous level.
- Emphasise reference to the danger of children running out between cars, and parents / drivers opening doors into the road / flow of traffic.
- The footpath is constantly blocked, so pedestrians have to walk in the grass, to get around the parked motor vehicles.
- Whilst the school holidays provide for a break for local residents, with a Creche operating, the impact would be all year round.
- Noise from the creche would negatively impact their amenity currently enjoyed in their rear garden
- Emphasise that one of the house occupants is a nurse, who works nights. The constant noise levels of children activities next door, would negatively impact her opportunity to rest and sleep, between shifts.
- Reference the proposed front, side and rear extensions to the house next door (ie. the application site). These extensions will negatively impact their residential amenity “blocking the sunlight on the front of our house and casting a large shadow on the rear of our back garden”.
- Accordingly therefore, the application site at No.117 Grange Abbey Crescent, is not the right location for a creche facility.
- Reference the argument previously made that the area is already served with several Creche, Montessori and Afterschool Facilities.
- No.119 has been their ‘Home’ for 36 years. Argue that the Creche facility next door would significantly devalue their property. Therefore, if they were forced into a decision to move, consequent of the negative amenity impacts from the creche, they would sell their property at a loss
- As the property owners at No.119, they do not want to live next door to a “Commercial Business”, the owner of which (ie. the applicant) has a number of similar businesses both locally and across Dublin.
- Argue that all these properties are run as a business.

- Therefore, when was this ‘residential’ area of Grange Abbey rezoned as ‘commercial’
- The new owner does not live in the area. Therefore No.117, the application site, is not the applicant’s / business owners home. Rather, it is “just another Business Enterprise. But we, the residents will have to endure the daily disruption of our neighbourhood”.
- Reference enclosed letter of support from local Councillor T. Brabazon

6.2 **Grounds of 3rd Party Appeal – Mr & Mrs McMahan (No.121 Grange Abbey Crescent)**

The 3rd Party grounds of appeal are set out fully in the documentation dated 22nd May 2019. These may be summarised as follows :

- Reference original 3rd party objection to the Dublin City Council, and the enclosed letters from the School and Coolock Garda Station backing up arguments made.
- Emphasise concerns regarding the traffic congestion through the School Year.

Now proposing a Creche Facility “with no regard to the disruption of neighbouring houses”.

- Together with their neighbour, they attend to the ‘Sewerage Manhole’ that exists between their domestic gardens. This unpleasant task involves the manhole having to be unblocked regularly every few weeks.

An additional 40-60no. children using ablution facilities will place extra strain on the already crumbling pipe work which is in a state of disrepair.

- The applicant / owner of proposed Creche, also has another premises in Clare Hall, across the road in another estate. Neighbours to that

facility have said that “it has become a major issue for them because of the volume of traffic and lack of respect for the Residents when parking in the area”.

- The applicant now hopes to open another business in an older residential area, which is already fully catered for.
- Enclosed submissions from :
 - Scoil Bhride J.N.S., and
 - Councillor T. Brabazon.

6.3 Grounds of 3rd Party Appeal – Grange Abbey Residents Association (c/o A. Keating No.82 Grange Abbey Crescent)

The 3rd Party grounds of appeal are set out fully in the documentation dated 23rd May 2019. These may be summarised as follows :

6.3.1 Traffic Congestion / Traffic Safety

- A major daily traffic problem already exists on Grange Abbey Crescent, with parents dropping-off and collecting school-children from Scoil Bhride, which itself opens onto Grange Abbey Crescent, in front of house no.117 (ie. the application site)
- By way of illustration, reference that cars can be park3ed from House No.159 at the entrance to House No. 101 on the ‘outer circle’, and from House No. 22 to almost No.82 on the ‘inner circle’.
- Emphasise that City Council and the ‘traffic Division’ are aware of the problem, that the ‘Residents Association’ have had on-site meetings with them, however, the ‘residents’ “still could not get double yellow-lines on two blind corners on the inner circle”.
- A creche at No.117 will make the situation much worse, as children will be dropped off and collected from 7.30am to 6.30pm.
- Assert that there are already 4no. other creches in the Donaghmede area, and 3no. schools that have ‘after school services’.
- Assert understanding that the applicant has several crèches in the area. Therefore, another is not required.

- Emphasise existing major traffic problems in the Crescent, and on Grange Road to Hole-in-the-Wall roundabout. Additional traffic generate by the proposed development will make the existing traffic problems worse.

6.3.2 Amenity Impacts

- Semi-detached houses are not suitable for use as a 'pre / after school and creche.
With respect to noise impacts and the need for mitigation, argue that even with 'soundproofing, there will still be noise disturbance to House No.119.
- There is a faulty manhole outside this house. Local residents have to regularly pay money for unblocking. Argue that additional bathrooms / toilets at No.117, once turned into a creche will further aggravate this situation.

6.4 Planning Authority Response

None.

6.5 Observations

None

6.6 Further Responses

None

7.0 Assessment

7.1 I have examined the file, considered the prevailing local and national policies, physically inspected the site and assessed the proposal and all of the submissions. The issue of appropriate assessment also needs to be addressed. The following assessment covers the points made in the appeal submissions, and also encapsulates my *de novo* consideration of the application. The relevant planning issues relate to :

- Principle of, Need for and Location of the proposed 'Childcare Facility'

- Visual Amenity Impact / Streetscape – Grange Abbey Crescent Residential Neighbourhood.
- Residential Amenity Impact.
- Road Access and Traffic Safety.
- Appropriate Assessment.

7.2 Principle, Need for and Location of the proposed ‘Child-Care’ facility

7.2.1 In my view, the planning ‘principle’ of a ‘creche’ and ‘pre / after-care’ childcare facility development at No.117 Grange Abbey Crescent, Donaghmede, has been established. Clearly zoned “Z1 – Sustainable Residential Neighbourhoods”, with the objective “to protect, provide and improve residential amenities”, the applicable zoning matrix designates ‘childcare facility’ land uses as being ‘permissible’ within the zone.

Towards achieving ‘Sustainable Residential Neighbourhoods’ the ‘Z1’ Zoning Objective advocates that in both new and established residential areas, there will be a range of uses that have the potential to foster the development of new residential communities. “These are uses that benefit from a close relationship with the immediate community and have high standards of amenity such as ... crèches, schools ...” (pg.238, copy attached).

7.2.2 Therefore, whilst the principal land use within ‘Z1’ zoned areas is housing, a limited range of other uses can be included. The ‘Z1’ Zoning Objective provides that in considering other such uses (eg. ‘childcare facility’ as ‘permissible’), the guiding principle is whether such ancillary land uses, in this instance ‘Childcare Facility’, positively and constructively contribute towards achieving ‘sustainable residential neighbourhoods’, where residents are within easy reach of services, open space and facilities.

7.2.3 The challenge to the applicant, understood to be the owner and operator of the proposed Childcare Facility therefore, having regard to both national policy, and the relevant requirements of the Dublin City Development Plan 2016-2022, is to ensure the proposed childcare facility development, has no disproportionate adverse impact on the scale & character of the existing

residential neighbourhood at Grange Abbey Crescent itself, and no unacceptable and disproportionate impact on local traffic safety and convenience, and the amenities enjoyed by the surrounding neighbours.

7.2.4 Within the 'Z1' zoned areas of Donaghmede, Dublin City, I note reference made by the 3rd party appellants to several existing childcare facilities, which on the information available, are understood to operate from residential properties. Whilst all parties acknowledge these existing childcare facilities, and some of which are understood operated by the current applicant, no clear reference is made to their relative proximities to, or separation distance from the current application site at No.117 Grange Abbey Crescent.

7.2.5 At a national policy context, I note that Departmental Circular PL3/2016 clearly outlined the extension to the 'Early Childhood Care and Education' (ECCE) Scheme. The anticipated consequence of such extension, is that this will result in a doubling of the number of children availing of the ECCE Scheme. This increase in demand must itself be reasonably expected to manifest itself locally within Donaghmede, Dublin City generally, and with respect to the proposed creche and pre / after school 'Childcare facility' at No.117 Grange Abbey Crescent specifically. Consequently, this significant demand increase for child places, must accordingly be expected to exceed the existing supply of childcare facility services existing locally.

7.2.6 However, whilst the need for childcare places is clear, motivation for the proposed development on this basis, does not exempt or set aside the obligation by the applicant to ensure compliance with the relevant provisions of the Dublin City Development Plan 2016-2022 generally, and with particular reference to Appendix 13 – 'Guidelines for Childcare Facilities', and the 'Z1' – 'Sustainable Residential Neighbourhoods' zoning objective. I reflect that these are clearly not new, or unique issues to the current application, or noting the significant presence of the adjacent school use fronting directly onto Grange Abbey Crescent, any other strictly non-residential development proposed locally.

7.2.7 With respect to location, I note that within ‘New and Existing Residential Areas’, Appendix 13 – ‘Guidelines for Childcare Facilities’ of the Dublin City Development Plan 2016-2022 prescribes at Section 13.1 that within “existing residential areas, detached houses / sites, or substantial semi-detached properties with space for off-street parking and / or suitable drop-off and collection points for customers, and also space for an outdoor play area, will generally be permitted, provided the premises remains primarily residential and traffic and access arrangements do not interfere with general residential amenity”. These prescriptions are further sharpened in my view, having regard to the site’s location within the designated ‘Z1’ – Sustainable Residential Neighbourhood.

7.2.8 In the first instance, I distinguish that No.117 Grange Abbey Crescent is neither a ‘detached’ or a ‘substantial semi-detached’ property. Rather, it is a modest semi-detached property located at the southern end of a row fronting onto the western side of Grange Abbey Crescent, and at a point where the sites road frontage and entrance is at the outer limit of a right-angled turn in Grange Abbey Crescent, eastwards away from the site.

Notwithstanding, I share the conviction apparent by the City ‘Transportation Planning Division’ that satisfactory on-site capacity exists for car parking space (referenced by the applicant as being for staff use), and that satisfactory capacity exists on-street along Grange Abbey Crescent in the vicinity of the existing entrance onto No.117 for safe drop-off and collection of children attending the ‘Childcare Facility’. Noteworthy is that this opinion was made subject to several Conditions ensuring accountable responsibility by the applicant with respect to ensuring local traffic safety and convenience. I will address this further below at paragraph 7.5 – ‘Road Access and Traffic Safety’.

7.2.9 Whereas Section 13.1 of Appendix 13 prescribes for the provision of ‘space for an outdoor play area’, no qualification is provided with respect to area, type, composition and proximity to neighbours. I note that this was an issue

for further attention by the applicant in the Planning Authority's Further Information' (F.I.) request. In the F.I. response, clarification is stated that the 'back garden space' is secure for the children to play in, and will fulfil this purpose. Commitment is stated that mitigation of 'noise impacts' will be achieved by allowing small groups of 6/7 children out at one time to play. Duration of time outside per child would be restricted on the basis of 'pre / after school' attendees (ie. max. of 1hr outside), or creche attendees (ie. max. of 30minutes). Older children's time outside on-site, would be supplemented with regular trips to local parks etc. on group outings. Further willingness is indicated by the applicant to synchronise, or co-ordinate outside play times with that implemented by the adjacent school complex, to soundproof as far as practical, particularly party-walls forming the semi-detached house, and to consult with neighbours towards achieving an acceptable operational programme for outside play by children attending the proposed 'Childcare Facility'. I will discuss this issue further at paragraph 7.4 – 'Residential Amenity Impact'.

7.2.10 In further consideration under Section 13.1 of Appendix 13, together with the 'Z1' Zoning Objective, I weight reference to the wording of the very last paragraph (ie.pg 168, top of page) such that "In certain circumstances, such as ... adjoining schools, the requirement for the premises to remain primarily residential may be relaxed depending on the particular location and character of the site in question". Clearly, the applicant appears to have taken advantage of this flexibility allowed for at the end of Section 13.1, as no residential element or use is proposed and the built fabric of the new 'Childcare facility', including extensions proposed, is towards accommodating for the comprehensive and integrated 'childcare service' for 'Pre / After School' and 'Creche' attending children. Having regard to all the information available, and to my own observations made at the time of physical inspection, I can identify no obvious issue or feature of the application site in its surrounds which would prevent the relaxation of the normal requirement for the premises to remain primarily residential, from being relaxed. I have no

objection in this regard. I note that the Planning Authority appear not to have directly addressed this issue.

7.2.11 Having regard to further discussions below, I believe that the proposed development is sufficiently compliant with the relevant provisions of all of the Dublin City Development Plan 2016-2022 and the 'Childcare facilities – Guidelines for Planning Authorities', June 2001 and Departmental Circular **PL3/2016**, and would therefore, subject to Conditions, be in accordance with the proper planning and sustainable development of the local Grange Abbey Crescent neighbourhood.

7.3 Visual Impact / Streetscape – Grange Abbey Crescent Residential Neighbourhood

7.3.1 The sense of place of the Grange Abbey Crescent residential neighbourhood is clearly influenced by the architectural style, design, and general finishing with respect to materials and colouring of the existing generally 2-storey semi-detached houses, all set in a local topographical and environmental context. The historical background to, and the evolution of this neighbourhood within North Dublin City has been referenced by the parties. All parties in my understanding, aspire to preserve this amenity, itself the objective of the 'Z1' Zoning Objective. I have taken note of the established, contextual scale and pattern of residential development along either side of Grange Abbey Crescent generally (ie. the northern counter-clockwise approach from Grange Road / R809, and the clockwise easterly approach), and proximate to No.117 specifically.

7.3.2 Noticeably, the application site is located at the southern end, punctuating the row of semi-detached houses fronting onto the western side of Grange Abbey Crescent. This point is also where Grange Abbey Crescent itself turns at right angle, progressing eastward away from the application site – No.117. The well treed public open space adjacent and to the south of the application site, and the substantial school / education campus adjacent, frame the application site from the northerly approach. From the easterly approach, the row of 2-

storey semi-detached houses front onto the northern side of Grange Abbey Crescent whilst the school / education campus comprises the southern frontage approaching the application site from the east.

What is certain in my view, and weighting reference to my observations made at the time of physical inspection, is that as one moves along Grange Abbey Crescent, no visibility is possible at all, of the rear of any of the houses, and including and specifically, the rear of No.117.

7.3.3 Having regard to the architectural drawings and plans submitted with the planning application, structural change / additional element are proposed to the external built form at No.117. Specifically, a modest single-storey extension is proposed to the 3no. open sides of the 2-storey semi-detached dwellinghouse situated on the application site. In my view the scale, proportion and architectural design of this extension satisfactorily complements that of the existing house, is subordinate to it, and notwithstanding there being no longer a domestic residential use to the house, satisfactorily complies with the requirements set out at Appendix 17 – ‘Guidelines for residential Extensions’ of the Dublin City Development Plan 2016-2022. I do note the absence by the applicant, of detail regarding materials, finishes and colouring for the proposed extension element. Further visual consolidation with the existing 2-storey house would be achieved by way of considered selection of such. I share the Planning Authority view that this could satisfactorily be achieved by way of Condition, to the agreement of the Planning Authority, should the Board be so minded as to a grant of planning permission.

Consequently, in my view no disproportionate negative visual impact to the existing local residential streetscape and associated visual amenity will result from the proposed development.

7.3.4 Having regard to the information available, and to my observations at the time of physical inspection (see photographs attached), no unacceptable and disproportionate impact on both the visual and associated residential amenities enjoyed by the surrounding residents of the Grange Abbey

Crescent residential neighbourhood will result. Therefore, notwithstanding the change on site from a domestic residential dwellinghouse, to what would become a purpose built 'Childcare Facility', the proposed development is satisfactorily compliant with the 'Z1' Zoning Objective, Section 13.1 of Appendix 13 and Appendix 17 of the City Development Plan 2016-2022, and accordingly would be in accordance with the proper planning and sustainable development of the area.

7.4 Residential Amenity Impact

7.4.1 Whilst the 'Glossary' to the Dublin City Development Plan 2016-2022 contains no 'definition' of residential amenity, I understand residential amenity values as referring to those natural or physical qualities and characteristics of the Grange Abbey Crescent zoned 'Z1' 'Sustainable Residential Neighbourhood', that contribute to residents' appreciation of its pleasantness, liveability and its aesthetic coherence. The 'Z1' zoning objective, whilst enabling 'child-care facility' use as 'permissible', seeks to ensure the protection, provision and improvement of the residential amenity prevailing in this contextual, established residential neighbourhood. In fact the 'Z1' zoning objective enables focus in the assessment of development proposals such as the modest 'childcare facility' proposed at No.117 such that the guiding principle is whether such ancillary land uses, positively and constructively contribute towards achieving 'sustainable residential neighbourhoods', where residents are within easy reach of services, open space and facilities. Such convenience would in my view positively enable local residential amenity. Development proposals should also not alter the physical character and fabric of the Grange Abbey Crescent streetscape.

7.4.2 The 3rd Party Appellants understandably want to protect this local amenity, which in my view is supported by the designated 'Z1' – Sustainable residential Neighbourhoods' zoning objective. The 'Z1' zoning objective over these lands does however enable change, and specifically in this instance, the introduction of a purpose built 'Childcare facility' ancillary to the general

residential land use locally, and which requires responsible management in the public good.

Having regard to all of the information available and to my observations at the time of physical inspection (see photographs attached), I believe that the proposed modest 'Childcare Facility' will have no serious, disproportionate negative impact on the prevailing residential amenity, and would in itself enable a satisfactory standard and level of operational capacity and relevant amenity as a 'Childcare Facility'.

7.4.3 In substantiating this viewpoint I have had regard to specific potential negative residential amenity impacts as follows :

Visual Amenity – Townscape / Streetscape

- I consider this to be the case having regard to the discussion of the impact of the proposed development on the prevailing visual amenity, the contextual townscape of Donaghmede, and the local Grange Abbey Crescent streetscape at 7.3 above, which in my view would not seriously or disproportionately, negatively influence the character and quality of the contextual residential amenity enjoyed in the local neighbourhood.
- Further, 'Views' and 'Aspects' enjoyed by the residents of the surrounding predominantly 2-storey semi-detached houses are not threatened nor impaired, nor do any such designations exist in the local area. As discussed at 7.3 above, the site is not clearly visible from the surrounding local road network, and also from Grange Abbey Crescent, located at the southern end of the row of 2-storey semi-detached houses, against the background of well treed public open space and local school / education campus, where I affirm the view that no serious or disproportionate negative impact on the prevailing local streetscape and associated visual amenity would result

Noise

- There is understandably an existing ambient noise level prevalent, which derives from the spatial relationship of the adjacent existing

Grange Abbey Crescent residential community, to the range of land uses and activities normally associated with a growing sub-urban environment. Notable in this regard is the significant presence of the school / education campus adjacent and to the southeast of the application site – No.117, and which fronts directly onto a significant portion of the southern frontage of Grange Abbey Crescent. Noise externality normally emanating from the presence of such significant land use locally, already impacts local residents.

- Noise impact from the proposed ‘Childcare Facility’ was a principal concern of the 3rd party appellants, and in particular the Brady’s, 3rd party appellants resident adjacent to the application site at No.119. I note that ‘noise impact’ consequent of the operation of a ‘Childcare Facility’ of the scale and type proposed, with reasonable anticipation of threat to local residential amenity, was an issue for further attention by the applicant in the Planning Authority’s ‘Further Information (F.I.)’ request.
- In the F.I. response, I note the clarification motivated by the applicant that the ‘back garden space’ is suitable and secure for the children to play in, and will fulfil this purpose. With children play confined solely to the ‘back garden space’, reasonable minimisation of impact would already be achieved noting that each of the lateral southern and rear western site boundaries are onto public open space and the R809 regional route respectively, and that the rear lateral northern boundary is shared with the northern half of the pair of semi-detached houses – No.119. This is the only existing residential property locally, proximate to what would be anticipated to become the “outdoor play area”.
- Further, as part of the applicants F.I. response submission, I note the clearly stated commitment, that mitigation of ‘noise impacts’ will be achieved by allowing small groups of 6 / 7 children out at one time to play. Duration of time spent outside per child would also be restricted on the basis of ‘pre / after school’ attendees (ie. max. of 1hr outside), or creche attendees (ie. max. of 30minutes). Older children’s time outside on-site, would be supplemented with regular trips to local parks

etc. on group outings, under the supervision of 'Childcare Facility' Staff. Further willingness is indicated by the applicant to synchronise, or co-ordinate outside play times with that implemented by the adjacent school complex, to soundproof as far as is practical, particularly party-walls forming the semi-detached house, and to consult with neighbours towards achieving an acceptable operational programme for outside play by children attending the proposed 'Childcare Facility'.

- I have regard to the suite of stated commitments by the applicant (as F.I.), towards minimisation and mitigation of noise consequent of normal 'Childcare Facility' operations and activities as reasonable and constructive, contributing towards demonstration of duty of care towards local 3rd party interests. I consider these to be positively in accordance with the 'Z1' – 'Sustainable Residential Neighbourhood' Zoning Objective (ie. protecting residential amenity) and Section 13.1 of Appendix 13 – 'Guidelines for Childcare Facilities' of the City Development Plan 2016-2022.
- In the 'public interest' locally, I am of the view that what I understand as the 'Operational Management Plan' submitted as F.I. by the applicant for necessary 'Outdoor Play' by all children attending the proposed 'Childcare Facility', requires clear incentive for implementation. I note the Conditions No.6 and 7 attached by the Planning Authority to their Decision to Grant Planning Permission, address two (2no.) elements of the applicants stated commitment to minimise and mitigate noise impact consequent of the proposed 'Childcare Facility'. Noting the applicants willingness to commit to such an 'Operational Management Plan' for 'Outdoor Play', I believe that demonstration by the applicant of such, in the 'public interest' locally, would be achieved by way of further supplementary Condition, to any permission granted, should the Board be so minded. In this instance therefore, assurance of implementation of the 'Operational Management Plan' submitted by the applicant as F.I. would be achieved. Then, if for whatever reason in the future, the applicant be motivated to amend or deviate from the 'Outdoor Play –

Management Plan', such deviation or amendment should be for the written agreement with the Planning Authority.

- Therefore, subject to compliance with relevant Conditions, I do not believe that levels of noise externality which may result from the proposed 'Childcare Facility' development will be unnecessarily or disproportionately greater than the existing ambient noise levels, and weighting reference to the proximity of the existing established school complex, and those noise levels reasonably expected of a built up sub-urban community such as at Grange Abbey Crescent, within North Dublin City. Accordingly, and subject to the above, I believe the 3rd party appellant arguments against the proposed development on the grounds of 'noise impact' cannot be sustained.

Residential Use – Liveability of Internal Layout and Space Provision

- Consequent of the proposed development, I understand that No.117 Grange Abbey Crescent will cease being used as a residential property. Rather, consequent of the proposed extensions and renovation, the 2-storey semi-detached building will become a purpose built 'Childcare Facility'.
- I have had regard to the 'existing' and 'proposed' architectural drawings, site and internal layouts and floorplans. Whilst to be no longer a residential dwellinghouse, a satisfactory 'internal layout and space provision' will be available, to satisfactorily accommodate the 'Childcare Facility', as proposed (ie. max. of 20no. attending children).
- Further, should No.117 Grange Abbey Crescent at any time in the future, revert back to a 'residential property', I believe that subject to minor changes to the internal layout and space provision', a satisfactory standard of domestic residential accommodation would be available, with sufficiency in space for the domestic living requirements of modern households in this sector.

Private Amenity / Leisure Space

- Section 16.10.2 – ‘Residential Quality Standards – Houses’ of the City Development Plan 2016-2022, emphasises ‘private open space’ as an important element of residential amenity. This would apply both to the application site, as well as neighbouring residential properties. Private amenity space for houses is to be provided by way of private gardens to the rear or side of a house.
- Clearly, to date the existing rear domestic garden has satisfactorily fulfilled the private amenity / leisure space requirements for the residential occupants of No.117. With No.117 now becoming a purpose built ‘Childcare Facility’, with no longer any residential use, the applicant has clarified in the F.I. response submission, that the existing ‘back garden space’ is suitable and secure for the children to play in, and accordingly will fulfil this purpose as the “outdoor play area” required under Section 13.1 of Appendix 13 of the City Development Plan 2016-2022.
- However, whereas Section 13.1 prescribes for the provision of ‘space for an outdoor play area’, no qualification is clearly apparent with respect to area, type, composition and proximity to neighbours.
Having regard to observations made at the time of physical inspection, and to the proposed site layout plan, I am satisfied that the existing rear garden space can readily and satisfactorily fulfil the role of the “outdoor play area” required under Section 13.1.
However, Section 13.1 does qualify the provision of “outdoor play area” such that it does not interfere with general residential amenity locally.
- In this regard I reference the discussion above regarding ‘Noise impact’. I affirm the conclusion that subject to compliance with relevant Conditions, the levels of noise externality which may be reasonably anticipated from the proposed ‘Childcare Facility’ development will not be unnecessarily or disproportionately greater than the existing ambient noise levels. In the determination of reasonable existing noise levels, I weight reference to the proximity of the existing established school complex, and those noise levels reasonable expected of a built

up sub-urban community such as at Grange Abbey Crescent, within North Dublin City.

- Further, with the assurance of implementation of an 'Operational Management Plan' by the applicant, for 'Outdoor play' in what was the rear domestic garden space, by the children attending the proposed 'Childcare Facility', no serious or disproportionate negative impact on the existing residential amenity will result.

Overshadowing / Loss of Natural Light

- The application site – No.117 is located adjacent, and to the south of No.119 Grange Abbey Crescent (ie. a pair of semi-detached 2-storey houses),
- The Brady's – 3rd party appellants resident at No.119 reference threat of overshadowing and consequent loss of natural light as a concern against the proposed development.
- I note that any threat to existing 'natural light' currently enjoyed at No.119 would be consequent of the proposed rear extension which is aligned along the shared internal 'party wall', westward along the shared property boundary. Having regard to the architectural drawings submitted I reference this single storey rear extension element, of the overall works proposed as modest. As proposed the rear extension element covers only c.3.0m of the entire width of the existing rear elevation (c.7.0m), it extends c.3.0m into the rear garden and has a ground level to 'roof ridge' height of c.3.7m. Further I note the roof profile proposed as being a double pitched roof, with a hipped gable end.
- Clearly, the existing natural light enjoyed through the neighbouring – No.119 west / rear facing windows will be impacted consequent of the new rear extension, aligned along the shared boundary. However, I am inclined to the view that this impact would not be so significant, and disproportionate so as to in itself warrant a refusal decision. In forming this view, I have had regard to the modest length of the extension, and

height with double pitched roof. I also note the pitch of the new roof angled away from No.119.

Understandably the neighbours at No.119 want to protect and preserve their existing amenity.

- Alternatively, whereas a double pitched roof, with a hipped gable end is proposed, a 'monopitch' or 'lean to' type roof profile may better preserve the existing levels of natural light enjoyed at No.119. However, in my view such improvement would not be so significant as to necessitate a departure from that proposed. Such a departure in the roof profile design of this element, could also visually conflict with the overall architectural design theme characterising the overall development proposed.
- A more dramatic design alternative could be the repositioning of the rear extension element away from the shared northern site boundary, to the southern end of the rear elevation, and to integrate with the proposed side extension onto the site's southern boundary, and thereby wrapping around the south-eastern corner of the house. No obvious restriction to such an alternative is clearly apparent, nor would the internal layout and functioning of the 'Childcare facility' be compromised by having the rear extension element , accommodating what is notated as the 'kitchen', in this position.
- Therefore whereas I affirm my view that no serious or disproportionate loss of natural light will result consequent of the single storey rear extension element, as proposed, this threat would be removed entirely and existing adjacent residential amenity protected and preserved, in tact, by the repositioning of the rear extension element aligned with the southwestern corner of the existing house, and integrating the proposed side extension onto the southern lateral site boundary.
- Should the Board share this view regarding the merits of repositioning the rear extension element, I believe the consequent change to the overall development proposed and advertised to be minor and inconsequential, and not requiring re-advertisement. In my view, the necessary changes would be appropriately achieved by way of

supplementary Condition outlining such repositioning of the rear extension element, which shall be for the written agreement of the Planning Authority.

- Having regard to the above, and specifically the preferred repositioning of the rear single storey extension element, I believe that no direct threat of overshadowing and consequent loss of natural light will result from the proposed development. I recommend in this regard, accordingly.

Overlooking / Loss of Privacy

- Privacy or a freedom from observation is a basic qualitative aspect of residential design, and which is acknowledged within the Dublin City Development Plan 2016-2022. The 'Residential Quality Standards' set out at Sections 16.10.2 and 16.10.3 seek to ensure that housing layouts achieve reasonable levels of such privacy, both internally and in relation to the adjoining existing built environment. In this regard, I believe that the proposed development would not threaten the levels of privacy currently enjoyed within the surrounding residential neighbourhood of Grange Abbey Crescent generally, and the neighbouring residents at No.119 to the north, specifically.

On-Site Car Parking

- Capacity for adequate onsite car parking space already exists within the curtilage of the application site – No.117, in satisfactory compliance with City Development Plan 2016-2022 Standards (ie. Section 16.38 – 'Car Parking Standards', Table 16.1 – 'Maximum Car Parking Standards').
- At present, these spaces are for the occupants of the 2-storey semi-detached dwellinghouse on site. This residence is proposed for replacement with the 'Childcare facility' the subject of the current application. This is to become the sole use of the premises at No.117, once the extension and renovation works are complete.

- I note the clarification made by the applicant that the existing car parking spaces on site are to be for the use of the 'Childcare Facility' staff. This will enable both for off street car parking by 'staff', and when necessary enable the safe loading and unloading of children into and out of the vehicles within the confines of the property.
- In my view these intended arrangements and associated practice by the applicant appear reasonable and acceptable, both from a traffic safety perspective, as well as mitigating threat of impact on residential amenity.

I further reference the no objection by the City 'Transportation Planning Division', in this regard.

Impacts from Site Works and Construction Activity

- I do acknowledge the potential for negative impact of construction activity on contextual residential amenity locally, whilst site works and construction activity are on the go. However, I consider that these impacts are only temporary, are to facilitate the completion of the proposed development, and certainly cannot be regarded as unique to this development.
- Further, I consider that given these impacts are predictable and are to be expected, they can be properly and appropriately minimised and mitigated by the attachment of appropriate supplementary Conditions to a grant of permission, should the Board be so minded as to a grant of permission, and deem such mitigation of negative impact necessary.

7.4.4 Having regard to all of the above, I therefore conclude that subject to appropriate, relevant Conditions being attached to any grant of planning permission made, no serious or disproportionate threat to the prevailing residential amenity will result from the proposed development, that it is satisfactorily in accordance with the relevant provisions of the Dublin City Development Plan 2016-2022, and with the proper planning and sustainable development of the area.

7.5 Road Access and Traffic Safety

7.5.1 The suitability of the application site for development and use as a ‘childcare facility’ will be determined amongst others, with reference to potential for traffic hazards caused by the proposed development, and consequent additional vehicular access onto and loading of Grange Abbey Crescent generally, and in the vicinity of No.117 – the application site, specifically. The safety and convenience of all road users is emphasised by the Dublin City Development Plan 2016-2022. Having regard to the information available, and having thoroughly inspected the location of the application site in the context of Grange Abbey Crescent (see photographs attached taken at the time of physical inspection), I have had regard to the following and comment accordingly.

7.5.2 Capacity for adequate onsite car parking space already exists within the curtilage of the application site – No.117, in satisfactory compliance with City Development Plan 2016-2022 Standards (ie. Section 16.38 – ‘Car Parking Standards’, Table 16.1 – ‘Maximum Car Parking Standards’).

At present, these spaces are for the occupants of the 2-storey semi-detached dwellinghouse on site. This residence is proposed for replacement with the ‘Childcare facility’ the subject of the current application. This is to become the sole use of the premises at No.117, once the extension and renovation works are complete.

7.5.3 I note the clarification made by the applicant that the existing car parking spaces on site are to be for the use of the ‘Childcare Facility’ staff. The applicant further emphasises that such on-site car parking space, enables for the safe loading and unloading of the older children attending the ‘Childcare Facility’ into vehicles, and their transfer to attend weekly off-site activities (eg. small group visits to nearby parks / public open space amenities). In my view these intended arrangements and associated practice by the applicant, appear reasonable and acceptable.

7.5.4 Further, I note that the existing entrance off Grange Abbey Crescent is intended for use by the 'Childcare Facility'. At the time of physical inspection, I had regard to the proximity and spatial relationship of the vehicular entrance onto the site, with the adjacent public pedestrian laneway opening out onto Grange Abbey Crescent to the southeast, and between the application site – No.117 and the School campus (ie. a single gated pedestrian only entrance off Grange Abbey Crescent). In my view notwithstanding the close proximity, one to another, of these respective openings onto Grange Abbey Crescent, satisfactory intervisibility and separation exists between pedestrians and vehicles at this location on Grange Abbey Crescent. I further believe that this would also apply to the single vehicular entrances serving the domestic residential properties to the north. Certainly in my view, no increased or disproportionate threat to either of pedestrian or vehicular safety will result consequent of the proposed development (see photographs attached, taken at the time of physical inspection). I further reference the no objection by the City Transportation Planning Division in this regard.

7.5.5 However, consequent of the on-site car parking space allocation to 'staff', and the proposal for a row of 'bicycle' / 'scooter' bays along the northern lateral boundary within the front yard, no capacity exists at all, for the on-site facilitation of suitable 'drop-off' and 'collection' spaces, as set out at Section 13.1 of Appendix 13 of the City Development Plan 2016-2022. In this regard, the need for further clear traffic safety considerations in the operation of the proposed 'Childcare Facility', at this location, was emphasised by the 'City Transportation Planning Division', and who requested detailed 'Further Information (F.I.)' from the applicant towards this end. I briefly summarise these as follows –

- hours of operation
- numbers of children attending the 'Childcare Facility'
- how are attending children to travel, to and from the 'Childcare Facility'
- details of 'drop off' and 'collection' arrangements, and the management thereof, in order to avoid impacting the surrounding local road network, and existing traffic problems locally

- details of 'cycle' / 'scooter' parking (catering for needs of attending children)
- preparation and submission of a 'Sustainable Travel Plan', outlining measures to encourage sustainable modes of transport, and
- clarification whether proposed 'Childcare Facility' to accommodate siblings of children attending the adjacent schools.

7.5.6 Against the framework set out by way of the Planning Authority / City Transportation Planning Division's F.I. request, the applicants F.I. response submission may be summarised as follows –

- the hours of operation of the proposed 'Childcare Facility' are to be 07h30 – 18h30
- there will be a maximum of twenty (20no.) children at any one time in the 'Childcare Facility'
- drop-off times of the attending children therefore, will be before the normal congestion time for school drop-offs to the adjacent schools (ie. 08h30 – 09h00)
- the 'Early Childhood Care and Education Programme (ECCE)' service will operate from 09h15 – 12h15. This will not clash with the 8h30 – 09h00 drop-off of children attending the adjacent school.
- clarify that whereas drop-offs to the adjacent school takes c.15minutes, parents will take c.2minutes to drop-off children to the 'Childcare Facility'.
- expected that the opening hours and business practice will in fact alleviate the local traffic problem, as parents will be able to drop-off the school going children to the 'Pre-School' / 'Breakfast Club' from 07h30, and pick-up later from the 'After-School' until 18h30.
- Affirm that the 2no. car parking spaces on-site are to be for the 'staff', and that the staff car to be used to enable outings for the children. Clarify further, that an on-site bicycle rack to be located in the front yard.
- emphasise that even if the proposed 'Childcare facility' were to serve need of another local school, no clash would result, as the morning

drop-off and afternoon collection would be outside of the peak periods of local congestion currently characterising the local Grange Abbey Crescent area, proximate to the application site.

- emphasise their understanding of the local traffic problem, “as we travel from another service 3-times a day to this school, and we will no longer be doing this if we move our service to this area”.
- confirm there may be parents dropping off a child at the ‘Childcare Facility’, that also attend the adjacent school. However, emphasise that this will not further impact local traffic, “as they would be dropping their child to school anyway”.
- emphasise that the children attending the proposed ‘breakfast club’ / ‘pre-school’ and ‘after-school’, will be walked to and from the ‘Childcare facility’, to and from the school. Therefore, no impact of local traffic will result.
- assert conviction that it would be “highly unlikely” that a parent would choose to drop-off or collect their children during peak traffic congestion in the vicinity of the site. Rather, expect that parents would arrive earlier or later, in line with the flexibility enabled by ‘Childcare Facilities’ for parents to drop off and collect.

7.5.7 Having regard to the above, whilst no specific details have been submitted by the applicant as to how the children attending the ‘Childcare facility’, will travel / commute to and from the facility, I believe sufficient information has been made available by the applicant, both as part of the initial application documentation, and specifically in the F.I. response submission, in order to enable a clearer understanding of such patterns and behaviours to be anticipated. In my view, such patterns and behaviours would frame the operations of the proposed ‘Childcare Facility’ independent of specificity of the anticipated travel / commuting modes.

7.5.8 Firstly, I believe the clarification provided that the ‘Childcare Facility’ hours of operation will be from 07h30 – 18h30, with a maximum of 20no. children at any one time to be accommodated, is helpful in anticipating behaviour

patterns and timing of drop-off and collection movements, to and from No.117 Grange Abbey Crescent. Within this framework, further clarification enables distinction between traffic movements dropping off and collecting children attending each of the three (3no.) elements comprising the scope of childcare services to be provided by the proposed 'Childcare Facility'. These 3no. elements are to be the 'Pre-School' / 'Breakfast Club'; the 'Early Childhood Care and Education' Programme; and the 'After-School' programme.

7.5.9 At present, traffic congestion on Grange Abbey Crescent in the vicinity of the application site is understood related to the vehicular drop-off and collection of pupils attending the schools at the adjacent campus, at the pedestrian only gate c.15m to the east of the application site. Notably, double yellow lines exist along the southern edge of Grange Abbey Crescent on both sides of the pedestrian entrance. Consistent with all schools, and focussed at entrance /exit locations, such congestion is manifest predominantly just before the school day commences, and just after the normal school day is completed. Occurring a maximum of 5-days a week, traffic movements dropping off and collecting pupils, and consequent localised congestion, are therefore predictable, and whilst certainly an understandable frustration to local residents, are limited in terms of duration.

7.5.10 Such predictability in my view, is to the advantage of the proposed 'Childcare Facility' and the strategic, proactive management of associated traffic movements through the day. Similarly to the adjacent school, the proposed 'Childcare Facility' will operate 5-days per week. The clarification of the daily operation of the 'Childcare Facility' by the applicant, sets out that the operating hours of the 'Pre-school' / 'Breakfast Club' will be from 07h30, with the 'After-School' programme open until 18h30. Traffic movements by parents dropping off and collecting children attending these programmes must therefore reasonably be expected to be well before the traffic congestion consequent of the start up of the adjacent 'school day' (ie. normally 08h30 - 09h00 daily), and well after the end of the formal school day (ie. c.15h00). At worst therefore, I believe traffic movements associated with these 'Childcare

Facility' programmes will not impact at all localised congestion on Grange Abbey Crescent associated with the adjacent schools.

7.5.11 Between the 'Pre-school' / 'Breakfast Club' and the 'After-School' Sessions, the applicants clarifies that the 'Early Childhood Care and Educational Programme' will take place. This service will operate from 09h15 – 12h15. I share the applicants conviction as reasonable, that consequently this will not clash with the 08h30 – 09h00 morning drop-off of the children attending the adjacent schools. Correspondingly, the 12h15 end to these sessions ensures no direct conflict with the traffic congestion associated with the end of day closure of the adjacent schools. By this time it must be reasonably expected that vehicles collecting children from the 'Early Childhood Care and Educational Programme' at No.117, would have done so, and cleared off and away from Grange Abbey Crescent.

7.5.12 Having regard to the information available, I also recognise the strategic, locational advantage of the proposed 'Childcare facility' at No.117, in local context. I express this conviction having regard to the following :

- Whilst clearly no capacity exists at all within the curtilage of No.117 to accommodate the 'drop-off' and 'collection' of children attending the facility, satisfactory capacity reasonably exists on Grange Abbey Crescent itself, proximate to the entrance onto the site. I express this view noting that domestic residential property frontages and entrances onto Grange Abbey Crescent exist to the north, along the western road frontage, and to the east, along the northern frontage only. Therefore, in the vicinity of No.117 frontage, and the nearby eastern and southern Grange Abbey Crescent road frontages, capacity exists for the safe drop-off and collection of children without impacting local traffic congestion, or compromising safety (ie. good vehicular / pedestrian separation and intervisibility exists throughout Grange Abbey Crescent).

- Affirmation of the above discussion, that traffic movements associated with all of the three (3no.) sessions comprising the scope of services to be provided by the proposed 'Childcare Facility', will not clash with the peak time periods and local congestion consequent of the drop-off and collection traffic movements associated with the adjacent schools campus.
- In addition the assertion appears to be accepted by the City 'Transportation Planning Division' that the time period spent dropping off / collecting children attending a 'Childcare Facility' is significantly shorter than the time period spent dropping-off / collecting children attending formal schools. Whilst I am not able to validate accurately the '2-minute' vs '15-minute' comparison stated by the applicant, I am satisfied that time spent dropping off / collecting children from the proposed 'Childcare Facility', would be significantly shorter than (the average of) that spent dropping-off / collecting children from the adjacent schools. The key consideration in this regard being the time that the vehicle spends occupying space on the side of the road through such activities. Therefore, the propensity for congestion locally, would be greater for the adjacent schools 'drop-offs' / 'collections', compared to those for the proposed 'Childcare Facility' at No.117.
- that no impact at all, on local traffic congestion, would result from drop-off and collection movements of children attending the 'Childcare Facility' and the adjacent schools. The children in this category would be expected to be dropped off for the 'Pre-School' / 'Breakfast Club' (before peak), and then walked (supervised) to attend the adjacent schools through regular school hours (noting the pedestrian entrance onto the school campus c.15m away). These children would then normally be met after completion of the school-day at the school 'pedestrian only gate', and then walked back to the 'Childcare Facility' along the public footpath, for the 'After-school' session. Collection of

these children would then be possible up to the 18h30, end of day. Similarly, siblings of children attending the middle 'Early Childhood Care and Education (ECCE)' Programme, would be facilitated, thereby minimising necessary traffic movements and therefore not compounding local congestion.

7.5.13 Even if the proposed 'Childcare Facility' were to accommodate a child attending another school (away from Grange Abbey Crescent), no clash would reasonably be anticipated, as the morning 'drop-off' and afternoon 'collection' would be outside of the peak periods of local congestion currently characterising the local Grange Abbey Crescent area, proximate to the application site – No.117.

7.5.14 I note the acknowledgement by the applicant that there may be parents dropping off a child to attend the 'Creche' element of the services provided, that also have a child, or children attending the adjacent schools. However, I am inclined to share the conviction articulated by the applicant that this would not further impact local traffic.

Specifically, I share the view as reasonable, that human nature and the inclination to avoid duplicity of actions and movements is such that parents would be expected to make one trip only, and achieve the needs of each of the children. Certainly, I would expect the children attending the creche / early childhood Care and Education programme would not require an extra vehicular trip to be made.

7.5.15 In response to the Planning Authority / City 'Transportation Planning Division' F.I. request, the applicant submitted F.I. Drawing illustrating on-site accommodation for 22no. 'bicycle' / 'scooter' parking spaces. Drawing No.102-P, dated Nov.18, illustrates the positioning of the row of 'bicycle' / 'scooter' bays along the northern lateral boundary within the front yard. I note further detail that these bays are to be provided in 'toaster rack' style stands. Curiously, I note that more 'bicycle' / 'scooter' bays appear proposed (ie. 22no.) than the maximum number of children to be accommodated at any one

time. I do not believe this to be a problem, noting the probability of a matrix of variations of numbers of children attending at anyone time, spread throughout the day, and covering all 3no. elements of childcare service to be provided.

I have no objection to such enabling provision on-site by the applicant. In doing so I believe the applicant is enabling the exercise, health and fitness of the children who would choose to cycle to No.117, modal split would be encouraged, and with particular reference to choice away from the motor vehicle. With fewer vehicular trips generated, loading of the limited capacity along Grange Abbey Crescent would be reduced, with no direct threat of traffic congestion, or making the existing congestion proximate to No.117 worse.

7.5.16 In addition to the above, I note the sustained reference by the City 'Transportation Planning Division', to the need by the applicant to prepare and submit a 'Sustainable Travel Plan'. I note that no 'Sustainable Travel Plan' was submitted by the applicant, in response to the specific F.I. request. Having regard to the above discussion, I am inclined to the view that much of what was submitted by the applicant in the F.I. response submission could reasonably comprise content of such a 'Sustainable Travel Plan'. Notwithstanding, whilst the decision made by the Planning Authority was to grant planning permission, I note that Condition No.3(i) requires the applicant to prepare and submit a 'Sustainable Travel Plan' for agreement with the Planning Authority, prior to the commencement of development.

Whilst I can find no clear reference within the City Development Plan 2016-2022, to the 'make-up', 'terms of reference', or 'scope' of such a 'Sustainable Travel Plan', I note that within Condition No.3(i) clarity is made that the 'Sustainable Travel Plan' "shall identify specific measures aimed at encouraging sustainable modes of transport to the creche", and that "The applicant shall fully implement the measures outlined in the 'Sustainable Travel Plan'". I have no objection to such a requirement, set out at Condition 3(i). Brief consultation by the applicant with the City 'Transportation Planning Division' would enable for clarity and understanding of what is to be expected within the 'Sustainable Travel Plan'. I affirm my belief that much of what has

been set out above could reasonably comprise content of such a Plan, supplemented with additional information substantiating the 'operational management' and 'business practice' by the 'Childcare Facility', with respect to accessibility, transport and traffic generation issues.

7.5.17 Having regard to all of the above, I consider the proposed development to be acceptable from a 'Road Access and Traffic Safety perspective, subject to the relevant Conditions, generally as set out by the City 'Transportation Planning Division'.

I recommend accordingly.

7.6 **Appropriate Assessment**

7.6.1 Having regard to the nature and scale of the proposed development, to the location of the site within a fully serviced urban environment, and to the separation distance to any 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.

7.7 **Conclusion**

7.7.1 Having regard to all of the information available, and to my substantive assessment set out above, I conclude that the proposed development is satisfactorily compliant with the relevant provisions of all of the Dublin City Development Plan 2016-2022, the 'Childcare Facilities – Guidelines for Planning Authorities', June 2001 and Departmental Circular PL3/2016, and would therefore be in accordance with the proper planning and sustainable development of the Grange Abbey Crescent neighbourhood.

7.7.2 I recommend to the Board accordingly.

8.0 **Recommendation**

8.1 I recommend that planning permission be 'Granted' for the reasons and considerations, and subject to the Conditions, as set out below.

9.0 Reasons and Considerations

- 9.1 Having regard to the Zoning Objective “Z1” for the area and the pattern of residential development in the area, it is considered that, subject to compliance with Conditions set out below, the proposed development would be in accordance with the relevant provisions of the Dublin City Development Plan 2016-2022, would not seriously injure the amenities of the local Grange Abbey Crescent neighbourhood, or of the property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

10. 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 03rd April 2019, except as may otherwise be required in order to comply with the following Conditions. Where such Conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason : In the interest of clarity

2. The proposed development shall be amended as follows :
 - (a) The repositioning of the rear extension element away from the shared northern site boundary, to the southern end of the rear elevation, and to integrate with the proposed side extension onto the site’s southern boundary, and thereby wrapping around the south-western corner of the house.

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 interests of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed 'Childcare Facility' shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Such materials, colours and finishes shall ensure visual compatibility with and integration with existing surrounding residential development.

Reason : In the interest of visual amenity.

4. No advertising sign or structure other than that permitted by this Planning Permission shall be erected, except those which are exempted development, without prior approval of the Planning Authority or An Bord Pleanála on appeal.

Reason : In the interest of orderly development and to ensure that effective control is maintained.

5. All public service lines and cables servicing the proposed development, including electrical and telecommunications cables, shall be located underground except where otherwise agreed with the Planning Authority. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development

Reason : In the interest of orderly development and visual amenity

6. The developer shall comply with the following Dublin City 'Transportation Planning Division' requirements :

- (a) Prior to the commencement of development, a Sustainable Travel Plan shall be submitted for agreement with the Planning Authority. This shall identify specific measures aimed at encouraging sustainable modes of transport to the crèche. The applicant shall fully implement the measures outlined in the Sustainable Travel Plan.

- (b) The bicycle / scooter parking, as indicated in Drawing No.102 submitted on the 03rd April 2019, shall be fully installed prior to the commencement of operation of the crèche.
- (c) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason : In the interest of Traffic and Pedestrian safety and sustainable transportation.

7. The hours of operation of the 'pre / after school and crèche' shall be restricted to 7h30 to 18h30 Monday to Friday, excluding Public Holidays.

Reason : In the interest of residential amenity.

8. The number of children to be accommodated in the 'pre / after school and crèche' shall not exceed 20 at any one time.

Reason : To limit the scale of the development and protect residential amenities.

9. Prior to the opening of the 'pre / after school and crèche' facility :

- (a) An 'Operational Management Plan' for the necessary 'Outdoor Play' by all children attending the proposed 'Childcare Facility', shall be submitted to, and agreed in writing with the Planning Authority
- (b) Adequate sound-proofing shall be applied to party walls and floors of the subject premises.

Reason : In the interest of residential amenity and to minimise noise disturbance to the adjoining dwelling.

10. Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular the rated noise levels from the proposed development shall not constitute

reasonable grounds for complaint as provided for in B.S.4142. Method for rating industrial noise affecting mixed and industrial areas'.

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

11. The applicant/developer shall provide facilities for the collection of recyclable waste. All bins shall be fitted with lids that fully close.

Reason : In order to ensure that the site is adequately serviced and to prevent the creation of a public health nuisance.

12. The requirements of the Drainage Division shall be undertaken as follows :

(a) The development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).

(b) The development is to be drained on a completely separate system with surface water discharging to the public surface water system.

(c) The development shall incorporate Sustainable Drainage Systems in the management of surface water

(d) All private drain fittings such as, downpipes, gullies, manholes, Armstrong Junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

Reason : In the interests of public health.

13. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section.

Reason : To ensure a satisfactory standard of development.

14. (a) The site and building works required to implement the development shall only be carried out between the hours of :

Mondays to Fridays – 7.00am to 6.00pm.

Saturday – 8.00 a.m. to 2.00pm.

Sundays and Public Holidays – No activity on site.

- (b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason : In order to safeguard the amenities of adjoining residential occupiers.

- 15.** During the construction and demolition phases, the proposed development shall comply with British Standard 5228 ' Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

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

- 16.** The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason : To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

- 17.** 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

L W Howard

Inspectorate

08th October 2019