



An
Bord
Pleanála

Inspector's Report ABP-304995-19

Development	Demolition of a two-storey house and for the construction of 30 no. residential units in the form of 8 no. apartments and 22 no. duplex units.
Location	Carricáil, Glenamuck Road North, Dublin 18, D18 V8K5
Planning Authority	Dun Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D18A/1187
Applicant(s)	Carricáil Development Company Limited
Type of Application	Permission for residential development
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Owen & Bairbre O'Brien Rhona O'Shea

Date of Site Inspection

23rd October 2019

Inspector

Paul O'Brien

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1.0 Site Location and Description

- 1.1. Carricáil is a two-storey detached house located on a large site to the east of the Glenamuck Road North to the north of the M50 and the Luas Green Line. The subject site area is given as 1.06 hectares, though only 0.4 hectares is considered to be the development area. The remainder is for drainage/ access purposes. Carrickmines Luas stop is located approximately 300 m to the south of the subject site. Carrickmines Croquet & Lawn Tennis Club is located on the opposite/ western side of Glenamuck Road North. The eastern side of the Glenamuck Road North is characterised by large houses on generous plots. The development area of the site slopes downwards on a north to south axis.
- 1.2. Carricáil shares its entrance with 'Tanglewood', a detached house, and a common driveway provides access to both houses. Access to 'Tanglewood' is located almost two thirds along this common driveway, to the southern side of the driveway. Neither house have any street frontage with the subject site over 100 m from the roadside edge. To the west of 'Tanglewood' is a two-storey detached house – 'Carraigdonn' which is located behind a high, stone clad wall. A similar wall forms the boundary along the Glenamuck Road North and is characteristic of the area.
- 1.3. Carricáil is described as a contemporary, flat roofed house. It is currently vacant. Other than signs of vegetation growth on the external walls of the house, the main issue of structural concern would be the poor condition of the roof with signs of damage/ material removal. The structural walls were intact, and windows were also in place on the day of the site visit. Some construction materials and temporary fencing were evident to the northern side of the house.

2.0 Proposed Development

- 2.1. The proposed development consists of the demolition of the two-storey detached house, Carricáil and the construction of 30 no. residential duplex/ apartment units in a single four storey block on an overall site area of 1.06 hectares. Approximately 0.4 hectare will form the development area and the remaining 0.66 hectare will be for drainage and access ways. The following residential units are proposed:

- 4 no. 1 bed apartment units

- 10 no. 2 bed units (2 no. apartments and 8 no. duplex)
- 16 no. 3 bed units (2 no. apartments and 14 no duplex)

Vehicular access is to be provided from Glenamuck Road North to the west of the site via an access approved under P.A. Ref. D16A/0260/ ABP Ref. PL06D.247822.

Pedestrian access is also to be provided via the existing vehicular access that serves Carricáil. The development includes bicycle parking, bin storage, public open space, services and landscaping of the site.

Further information was sought with regards to the status of the existing house, Appropriate Assessment Screening, apartment details (floor to ceiling heights and protection of privacy of neighbouring properties), Arboricultural details, boundary details, Construction and Waste Management Plan, taking in charge, lighting plan, details on use of the laneway, car/ bicycle parking details and site drainage. The applicant responded in full to these details, however Clarification of Further information was sought. This included further information on the Appropriate Assessment Screening, provision of a boundary treatment plan, laneway details and drainage. All matters were addressed. It is considered that the general design and layout of the detail has not significantly changed from the original submitted proposal.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission following the receipt of further information and clarification of further information, subject to 29 no. conditions. The conditions are generally standard. Specific conditions relate to the provision of a detailed Landscape Design Rationale prior to the commencement of development, provision of suitable play equipment and provision of a green roof in accordance with the SuDS Manual (C753) and BS EN 12056-3:200.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning report reflects the decision to grant permission subject to conditions. Further information and clarification of further information were sought by the Planning Authority and the applicant responded to these requests. I note that the Conservation Office submitted a report following the receipt of further information recommending that the existing house on site be retained. The Case Officer noted this report but on balance considered that the removal of this house was acceptable.

3.2.2. **Other Technical Reports**

Transportation Planning: No objection subject to recommended conditions following the receipt of further information.

Drainage Planning – Municipal Services Department: No objection subject to recommended conditions.

Parks and Landscape Services: No objection subject to recommended conditions.

Housing: No objection subject to condition.

Conservation Office: Report received following further information response seeking the retention of the existing house on site.

Public Lighting: No objections but note potential conflicts between trees and lighting.

Biodiversity Officer: Clarification of further information was sought. No final report was received from the Biodiversity Officer.

3.2.3. **Prescribed Bodies Report**

Irish Water: No objection subject to recommended conditions.

3.2.4. **Objections**

A number of letters of objection were received to the original application and objections were also received on receipt of the further information and clarification of further information. Issues raised are similar to those in the grounds of appeal and in summary they include:

- The architectural and historical importance of Carricáil is such that it should be retained.

- Potential pedestrian/ traffic safety issues using a substandard laneway to access the site. The design of the access and lack of lighting have been identified as issues.
- Nuisance from the proposed development with reference to location of the bin stores in terms of noise, odours and pollution. Alternative locations for the bin storage have been proposed.
- Overlooking has been raised as an issue and a reduction in the height of the building has been suggested to overcome this issue.
- The proposed development will give rise to overshadowing of adjoining properties.
- The proposed car parking location will impact negatively on adjoining properties.
- The proposed density of housing is excessive in this location.
- There is a lack of open space and the landscape design is of a poor quality.
- The design is not appropriate and is described as monolithic. A four-storey development is out of character with the existing pattern and form of development here.
- Impact on Carrickmines station which is a protected structure and is located to the south/ west of the subject site.
- Unclear what type of boundary treatment is to be provided here.
- Impact on existing residential value.
- Potential for further development in the area through use of this site as an access.

4.0 Planning History

There are no recent, relevant applications on the subject site.

P.A. Ref. D16A/0260 and **ABP Ref. PL.06D.247822** refers to a May 2017 decision to grant permission for 39 no. apartments and 7 no. houses on lands to the north of the subject site. This development to provide for a density of circa 60 units per hectare. I note the following comments of the Inspectors report:

‘Having regard to the site context in close proximity to Carrickmines LUAS stop and the previous refusal of development on the site on the basis that an appropriate density was not provided, I am of the opinion that a density of circa 60 dwellings per hectare does warrant consideration subject to the proposed design and layout not unduly impacting upon the residential amenities of the area and that all other relevant planning considerations being satisfactorily addressed’.

P.A. Ref. D14A/0649 and **ABP Ref. PL.06D.244272** refers to a May 2015 decision to refuse permission for 17 houses, 34 car parking spaces and associated site works on the lands to the north of the subject site. Two reasons for refusal were issued and in summary were due to the inappropriate low density of development and insufficient public open space and secondly the design of the development would negatively impact on adjoining residential amenity.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the subject site is zoned A ‘To protect and/ or improve residential amenity’. Residential development is listed within the ‘Permitted in Principle’ category of this zoning objective.
- 5.1.2. Chapter 2 – ‘Sustainable Communities Strategy’ of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, includes section 2.1 ‘Residential Development’. The Introduction (2.1.1) refers specifically to how future population growth will be accommodated, with one model – *‘Through the continuing promotion of additional infill accommodation in existing town and district centres at public transport nodes, brownfield sites and established residential areas’.*
- 5.1.3. Under 2.1.3.4 ‘Policy RES4: Existing Housing Stock and Densification**’ it is policy to:
- *Encourage densification of the existing suburbs in order to help retain population levels – by ‘infill’ housing. Infill housing in existing suburbs should respect or complement the established dwelling type in terms of materials used, roof type, etc.*

Under 2.1.3.7 'Policy RES7: Overall Housing Mix' *'It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy'*.

5.1.4. Chapter 8 of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 refers to 'Principles of Development' and the following are relevant to the subject development:

8.2 'Development Management' – with particular reference to section 8.2.3 'Residential Development' and 8.2.3.4 'Additional Accommodation in Existing Built up Areas'.

Section 8.2.8.2 *Public/Communal Open Space – Quantity* is also relevant and states *'The Planning Authority shall require an absolute default minimum of 10% of the overall site area for all residential developments to be reserved for use as Public Open and/or Communal Space irrespective of the occupancy parameters set out in the previous paragraph'*.

5.2. National Guidance

- The National Planning Framework includes a specific Chapter, No. 6 - *'People Homes and Communities'* which is relevant to this development. This chapter includes 12 objectives (National Policy Objectives 26 to 37) and the following are key to this development:
 - National Policy Objective 27 seeks to *'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages'*.
 - National Policy Objective 33 seeks to *'Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location'*.

- National Policy Objective 35 seeks to *‘Increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights’*.
- *Design Manual for Urban Roads and Streets (DMURS)*.
- *Sustainable Urban Residential Development Guidelines (DoEHLG, 2009)* and its companion, the *Urban Design Manual - A Best Practice Guide (DoEHLG, 2009)*.
- *Quality Housing for Sustainable Communities (DoEHLG, 2007)*.
- *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (DoHPLG, 2018)*.

5.3. **Natural Heritage Designations**

None.

5.4. **EIA Screening**

Having regard to the nature of the proposed development comprising a residential development of 30 apartment units in an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The decision of the Planning Authority has been appealed by adjoining residents who live in ‘Foxfield’ – no. 8 Brennanstown Vale and at ‘Tanglewood’ – Glenamuck Road North. The following issues have been raised in the appeal:

- Concern about the loss of an historic house such as Carricáil.
- The development of 30 units on a site of 0.4 hectares would give rise to overdevelopment.
- The proposed design is out of character with the area and is described as monolithic.
- Impact on existing residential amenity through overlooking, overbearing and overshadowing.
- The quality of site landscaping is substandard.
- The quality of boundary treatment is not acceptable on all sides.
- There is a shortfall of public open space to serve the development.
- The location and type of public lighting will be overbearing on neighbouring properties and will give rise to light pollution in the area.
- The location of the car parking to serve this development will have a negative impact on the residential amenity of existing residents in terms of noise/nuisance.
- There will be a negative impact on the residents of 'Tanglewood' with respect to their use of a pedestrian access to the driveway/ lane.
- The location of a bin store would have a negative impact on residential amenity in terms of pollution and odours in addition to the 24/7 nature of its use and through collections.
- The laneway is not suitable as an access to the site.

6.2. Applicant Response

The applicant through their agent Brock McClure, have submitted a response to the appeal and the following points are made:

- The location of the bin storage area on the driveway to the site has been swapped with a proposed bicycle parking area – Revised site layout plan and details have been provided in this regard.

- No refuse collection vehicles or private cars will use the existing laneway. Measures in the form of fencing and bollards will prevent parking along this laneway.
- The applicant has sufficient legal interest in the laneway to use this as a pedestrian route and for use by emergency vehicles if necessary. Access to 'Tanglewood' is not proposed to change from the current situation. Lighting along the laneway is proposed.
- A wall and landscaping are proposed along the bicycle storage area.
- The advice of Slattery Conservation was sought with regards to the quality of the existing house on site and in summary it was found to not have 'sufficient architectural merit to warrant its retention'. The house has been altered over time and has suffered structural decay/ deterioration over time.
- The proposed density at 75 units per hectare (30 units on a site of 0.4 hectares) is appropriate in such a location, in close proximity to the Luas line.
- Noise from future residents/ visitors is not expected to be above what is normally experienced in such a suburban location.
- Four storey building is considered appropriate in this location and is not monolithic.
- Shadowing and daylight to neighbouring units is within recommended standards.
- A comprehensive landscaping design has been submitted with the application. Boundary details have also been provided.
- Adequate private amenity space has been provided in accordance with the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022.
- Public lighting provision is in accordance with residential development standards.
- The concerns regarding the location of car parking and potential nuisance are considered to be unreasonable. Measures are proposed to screen this car parking area, however noise created is not expected to exceed that normally created by similar residential developments.
- The applicant considers that the issues raised by the third parties are subjective and do not stand up to closer scrutiny.

6.3. **Planning Authority Response**

- 6.3.1. No new matters have been raised that 'would justify a change of attitude to the proposed development'.

6.4. **Further Responses**

The appellants have made further comments addressing the response of the applicant to the appeal. The following additional points are noted:

- The applicant and their agents have not consulted with the appellants.
- Affidavits and invoices can be acquired if An Bord Pleanála require them.
- The relocation of the bin storage area is noted and addresses concerns regarding noise and odours. However, the relocated bicycle/ motorcycle area over-sails third party lands.
- Issue raised regarding the maintenance and ownership of the laneway.
- Request that in the event that permission is granted, that access through the laneway be restricted to emergency vehicles only.
- The density of development is excessive and insufficient public open space is to be provided to serve this site.

7.0 **Assessment**

- 7.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Density
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Traffic and Access
- Retention of Carricáil
- Other issues
- Appropriate Assessment Screening

7.2. Density

- 7.2.1. The overall site area outlined in red is 1.06 hectares. The applicant has omitted the area of the existing access to the site, a proposed access which was approved under PL06D.247822 and a wayleave for drainage towards the south of the site, such that the developable area is 0.4 hectares. The proposed development of 30 units therefore provides a density of 75 units per hectare. This is significantly greater than the current density in the area which is low at circa 3 to 5 units per hectare.
- 7.2.2. The subject site is circa 300 m from the Carrickmines Luas stop to the south of the site and I therefore consider that it is a suitable site for a development with a density of 75 units per hectare. The Luas Green Line provides for a frequent, relatively high capacity form of public transport and whilst I note the applicant's planning report referring to Bus Connects proposals in the area, the Luas will remain the primary form of public transport in the area. I also note the provision of high-quality cycle tracks on the Glenamuck Road North, which serves the subject site and it is therefore correct that a suitable scale and density of development be permitted to match the infrastructural investment in the area.
- 7.2.3. Having regard to the recent history of permitted development in the area and current National Guidance on increased density, the immediate area adjacent to the subject site can be described as transitional. The development permitted under PL06D.247822 to the north of the subject site allows for a density of development at circa 60 units per hectare. It is appropriate that where opportunities arise, that density be increased at a scale that is appropriate to available infrastructure and which respects the existing residential amenity of the area.

7.3. Design and Impact on the Character of the Area

- 7.3.1. The proposed building is a single block in a reversed 'L' shape. Primary access is to be from the north through the development permitted under PL06D.247822 with pedestrian access to the west via the existing access to the site. Open space is to be provided in a single area of 906 sq m to the west/ south west of the block and car parking is to the east and north. In response to the appeal, the applicant has proposed locating a bin storage area to the north east of the site, away from the

existing access laneway to the site. A bicycle/ motorbike parking area will be provided in the original proposed location of the bin storage area.

- 7.3.2. The proposed building is in the form of a four-storey single block, with selected brick finish on the ground, first and second floors and the third floor to be finished with a selected metal cladding or similar material. The elevations are broken up through the use of a variety of windows, projecting bays and balconies. The eastern elevation also benefits from a staggered building line, breaking up an otherwise monotonous elevational treatment.

The site layout is considered to be acceptable. The location of the public open space is acceptable in terms of allowing for passive surveillance and making maximum use of the afternoon/ evening sun. The open space is accessible to all units in this block. A total of 906 sq m is to be provided and demonstrates compliance with *Section 8.2.8.2 Public/Communal Open Space – Quantity* of the County Development Plan. The provision of 906 sq m is well in excess of 10% of the developable site area of 0.4 hectares and I therefore consider that the open space provision is acceptable in terms of quantity and quality.

7.4. Impact on Residential Amenity

- 7.4.1. Whilst the density of development at 75 units per hectare may be acceptable, the potential impact of the development on the existing residential amenity of the area has been raised by the appellants as of concern. The zoning of the site allows for residential development and as already stated, the availability of high-quality sustainable transport allows for an appropriate increase in density.
- 7.4.2. The applicant has provided 'Shadow Diagrams' prepared by Digital Dimensions of the subject and adjoining sites. The submitted details indicate that any increased shadowing will be within accepted standards.
- 7.4.3. The design of proposed development is such that overlooking leading to a loss of privacy is not foreseen. The design provides for separation distances in excess of 11 m between active windows and the boundary they face. 'Tanglewood' to the west of the site is over 21 m from the nearest point and the provision of screening etc. reduces the potential for overlooking. I do not consider that the development will give rise to overbearing on adjacent houses. The fact that the access is adjacent to

active windows should ensure that loitering and potential nuisance does not occur. This in turn will ensure that overlooking from the deck access of the adjacent properties to the east does not occur.

- 7.4.4. Noise, odours and other nuisances were listed as concerns in the appeal. I accept that there will be additional car movements in the area, though again, the applicant has designed the development in such a way as to ensure that this should not be a nuisance to neighbouring properties. Drawing No. 1817 PD17 CFI – Boundary Treatment indicates that a 2 m high wall will be provided on the eastern and western sides of the site and this is sufficient to reduce noise levels to an acceptable level. The relocation of the bin storage area as indicated on Drawing No. 1817 PD02 APB is welcomed, and it is accepted that the original proposed location may have given rise to nuisance in addition to not been visually attractive. The issue of odours has also been addressed by the relocation of this storage area and the collection of bins will be contained within the site and not on the driveway/ lane.
- 7.4.5. Light pollution was identified in the appeal as a matter of concern with particular reference to public lighting along the driveway/ laneway for pedestrians. This issue can be addressed by condition if permission is to be granted. The public lighting section of Dun Laoghaire-Rathdown County Council can identify suitable lighting for this location. Modern LED lighting does not give rise to the same levels of light pollution as older lighting did in the past.
- 7.4.6. Room sizes including storage provision are acceptable and demonstrate compliance with *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities* and adequate private amenity is afforded to each unit. The mix of unit types is appropriate in this location and demonstrates compliance with Specific Planning Policy Requirement 1 of the guidelines. An adequate number of units are dual aspect and ground floor apartments have floor to ceiling heights of 2.7 m in accordance with Specific Planning Policy Requirement 5.
- Upper level apartments are served by a lift and stairwells. It is noted that apartments no. 12 to 22 are served by deck access on the second floor. This can be problematic; however, the applicant has designed it such that the front of the units addressing the access includes the kitchen and front door. A planted area to the front of the individual units provides additional privacy.

7.5. Traffic and Access

- 7.5.1. Vehicular access to the site will be from the north through the previously approved development under ABP Ref. PL.06D.247822. This is acceptable and the Planning Authority Transportation Section have reported no objection. Issues relating to car, bicycle and motorcycle parking have been addressed following the receipt of further information. 4 no. designated electric charging points are to be provided.
- 7.5.2. Concern was expressed regarding the use of the laneway. From the submitted information it would appear that this is primarily to be used for pedestrian and cycle access and the only vehicles using the laneway in addition to accessing 'Tanglewood' would be for emergency vehicle access. From the submitted site layout plans etc. it is evident that the layout makes access for car traffic difficult.
- 7.5.3. I note that the applicant was requested to allow for a future access point to the lands to the east of the subject site and this has been indicated on the submitted plan following the receipt of further information. I note that the 2 m high wall on the eastern side of the site extends through this future access point; I consider it appropriate in the event that permission is granted to revise the boundary at this point so as to make clear that this access may be opened in the future and is not a permanent boundary at this point.
- 7.5.4. Similarly, future access to the lands to the south has been considered and the proposed 1.8 m high timber panels allow for easy access to these lands in the future. It would be desirable in terms of pedestrian permeability that direct access to the Luas stop at Carrickmines could be provided in the future from the southern end of this site.

7.6. Retention of Carricáil

- 7.6.1. Documentation was submitted to justify a retention of Carricáil with reference to its historical and architectural importance. I note that the Dun Laoghaire-Rathdown County Council Acting Conservation Officer also sought to retain this house as part of the development of this site. The Planning Case Officer considered its demolition to be acceptable having regard to the nature of the proposed development. I would

have to agree with the comments of the Case Officer. I note that the house is not listed on the Record of Protected Structures and is not referenced on the National Inventory of Architectural Heritage (NIAH).

- 7.6.2. It was evident from the site visit that the house has suffered damage to its roof, and it is unclear if this damage has extended to the walls of the house. I also note that the house has been modified/ extended over time and its architectural merit may have been lost at this stage especially if substantial repair works are deemed necessary for its continued retention. The report prepared by David Slattery and submitted by way of further information to the Planning Authority indicates that substantial internal damage has taken place with damp ingress particularly evident. This report is detailed and provides a good record of the interior and exterior condition of this house.
- 7.6.3. The historical importance of this house may be recognised in the form of a future building name or by a plaque etc. It would be nearly impossible to integrate this house into any redevelopment of this site without substantial modifications to the building and a loss of proposed units. The location of the house is such that it would not be easily visible or known to people who pass through this area and its importance would be very localised to those who live adjacent to it.

7.7. Other Issues

- 7.7.1. The issue of legal interest in accessing the laneway and of oversailing with regards to the relocated bicycle storage have been raised in the appeal. These are legal matters and fall outside of consideration under the Planning and Development Act 2000, as amended.
- 7.7.2. The site is located within the area to which the Dun Laoghaire-Rathdown Supplementary Development Contribution Scheme for the Extension of the Luas Line B1 – Sandyford to Cherrywood applies and a supplementary contribution should be applied in this regard.
- 7.7.3. Drainage issues were addressed at further information stage to the satisfaction of the Dun Laoghaire-Rathdown Drainage Planning – Municipal Services Department.

7.8. Appropriate Assessment Screening

- 7.8.1. The applicant has engaged the services of Openfield Ecological Services to prepare a Screening for Appropriate Assessment (AA). In summary, the screening report concludes that the development will not give rise to direct or indirect impacts to any Natura 2000 sites.
- 7.8.2. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted subject to the following conditions and reasons.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 and the zoning of the site for residential purposes, to the location of the site in an established urban area within walking distance of the Luas Green stop at Carrickmines and to the nature, form, scale, density and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 12 th of April 2019, by
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	<p>clarification of further information received on the 10th of June 2019 and by the further plans and particulars received by An Bord Pleanála on the 26th of August 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>This permission is for the demolition of the existing house, 'Carricáil' and for the construction of 30 no. residential units in the form of 4 no. one bedroom apartment units, 10 no. two bedroom apartment units and 16 no. three bedroom apartment units.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>Prior to the commencement of development, the developer shall provide, for the written agreement of the planning authority, full details of the proposed external design/ finishes in the form of samples and on-site mock ups. These details shall include photomontages, colours, textures and specifications.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
5.	<p>The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>

6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
7.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
8.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
9.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.</p> <p>Reason: In the interest of orderly development and the visual amenities of the area.</p>

10.	<p>The developer shall ensure that all cycle parking areas and facilities be designed and provided in accordance with the Dun Laoghaire-Rathdown County Council – Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018).</p> <p>Reason: In the interest of sustainable development and in the interest of proper planning.</p>
11.	<p>The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
12.	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any dwelling unit.</p> <p>Reason: In the interests of amenity and public safety.</p>
13.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than [1:500] showing –</p> <p>(i) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder</p> <p>(ii) Details of screen planting which shall not include cupressocyparis x leylandii</p> <p>(iii) Hard landscaping works, specifying surfacing materials, furniture and finished levels.</p>

	<p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment</p> <p>(c) A timescale for implementation</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
14.	<p>To ensure full implementation of the proposed landscape plan, the developer is required to retain the services of a Landscape Consultant throughout the life of the site development works. A completion certificate is to be signed off by the Landscape consultant when all works are completed and in line with the submitted landscape drawings. This completion certificate shall be submitted to the Planning Authority for written agreement upon completion of works.</p> <p>Reason: In the interest of amenity.</p>
15.	<p>Prior to commencement of development, the developer shall submit a revised site layout plan and boundary elevations demonstrating the following:</p> <p>a) The road allowing for future access to the lands to the east and south of the site to be continued to the boundary edge. There shall be no landscaping or footpath at this point.</p> <p>b) The boundary wall shall be revised at the future access to the adjoining lands to a 2 m high round bar railing painted black/ dark green.</p> <p>Reason: In the interest of permeability and in the interest of the proper planning and sustainable development of the area.</p>
16.	<p>Prior to commencement of development, the applicant or other person with</p>

	<p>an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
17.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
18.	<p>No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.</p> <p>Reason: To protect the residential amenity of property in the vicinity and the visual amenity of the area.</p>
19.	<p>Proposals for a development name, apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs, and unit numbers, shall be provided in accordance with the</p>

	<p>agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place-names for new residential areas.</p>
20.	<p>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.</p> <p>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.</p>
21.	<p>The developer shall pay to the planning authority a financial contribution in respect of 'the extension of Luas Line B1 – Sandyford to Cherrywood' in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable</p>

	<p>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.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.</p>
22.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>

Paul O'Brien
 Planning Inspector

25th October 2019