



An
Bord
Pleanála

Inspector's Report ABP-310035-21.

Development

Amendments to Planning Ref. No. 4364/19 (ABP ref 307186-20) for mixed use development. The development will consist of amendments to Block 1 - change of use to 1 additional 2 bed apartment, construction of 4 additional units at third floor level with external balconies, circulation and alterations to façades.

Location

Walkinstown Road and Balfe Road, Walkinstown, Dublin 12.

Planning Authority

Dublin City Council.

Planning Authority Reg. Ref.

2161/12.

Applicant(s)

Canmar Properties Limited.

Type of Application

Permission.

Planning Authority Decision

Grant.

Type of Appeal

Third Party

Appellant(s)

Peter Byrne

Observer(s)

Ricky Cunningham.

Date of Site Inspection

26/07/2021.

Inspector

A. Considine.

1.0 Site Location and Description

- 1.1. The subject site lies in proximity to the junction of Drimnagh Road, the R110 (The Long Mile Road), to the north and Walkinstown Road to the west, the R819. The site extends from the Walkinstown Road in an easterly direction with access onto the Balfe Road too. The wider area includes a variety of uses including residential and commercial developments. The residential development ranges from two storey houses in terraces along Walkinstown Road and Balfe Road and apartment developments, rising to 5 storeys in height, to the north of the Drimnagh Road
- 1.2. The subject site has a stated area of 6,683m² (0.6683ha) and is currently occupied by industrial warehouses to the east and a Pay & Display car park to the west of the site which lies adjacent to the Bank of Ireland building at the corner of and with frontage onto Walkinstown Road and Balfe Road. There is a fence running in a north to south direction through the site which delineates these two uses – industrial warehousing and the car park – and the primary access to the warehouses is off Balfe Road.
- 1.3. The site also includes a narrow area which runs in a south-west to north-east direction and is located to the rear of the houses fronting onto Walkinstown Road and Thomas Moore Road. Access to this area is via the car park area and there is a disused warehouse located in the most southerly area of this plot.

2.0 Proposed Development

- 2.1. Permission is sought, as per the public notices for:

Site bounded and accessed by both Walkinstown Road and Balfe Road, comprising of Balfe Road Industrial Estate (2-4 Balfe Road), Walkinstown Road Surface Car Park and lands and industrial building (5 Walkinstown Road) to the rear of houses on Walkinstown Road and Thomas Moore Road, Walkinstown, Dublin 12.

Permission for amendments to development approved under Dublin City Council Planning Reference No. 4364/19 (An Bord Pleanála Reference No. ABP 307186-20) for a mixed-use development. The development will consist of:-

Amendments to approved Block 1 (fronting onto Walkinstown Road) consisting of change of use to 1 additional 2-bedroom apartment, the construction of 4 No. additional apartment units at third floor level with external balconies, ancillary circulation, and alterations to facades including:

- 1) The change of use of permitted Community Room and amendments to layout to provide an additional 1 No. 2 bed apartment unit at Ground Floor Level;
- 2) Construction of additional floor area at third floor level to provide 4 No. additional 1 bed apartment units (eliminating setbacks at this level);
- 3) Amendments to elevations and sections from the approved part 3-storey/ part 5-storey (3-storey plus two setback levels) block to a part 4-storey/ part 5-storey (4-storey plus one setback level) block;
- 4) All associated consequent ancillary works, landscaping, bicycle parking and site development works and services,

all at Site bounded and accessed by both Walkinstown Road and Balfe Road, Walkinstown, Dublin 12

2.2. The application included the following supporting documents:

- Plans and particulars
- Completed planning application form
- Planning Report
- Engineering Services Report
- 3D visualisations
- Schedule of Accommodation.
- Approved Planning Application Drawings which include Site & Block 1 Drawings ABP ref: ABP-307186-20 (PA ref: 4364/19)¹

¹ The Board will note that the booklet of drawings referred to as 'Approved' include floor plans and details of previously proposed Blocks 4, 5 and 6 which were refused permission by the Board following a number of third-party appeals.

I also note that the refused Blocks continue to appear on the submitted site layout plan, albeit that the plans reference the fact that they have not been granted planning permission.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant planning permission for the proposed development subject to 10 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning report considered the proposed development in the context of the details submitted with the application, internal technical reports, the zoning afforded to the site, planning history and the DCC Development Plan policies and objectives. The report also includes an Appropriate Assessment Screening and FRA.

The planning report notes that planning permission was granted for the provision of 56 apartments. The proposed development is seeking to provide an additional 5 apartments within Block 1 which will result in the mix of units on the site as follows:

- 29 x 1 bedroom apartments
- 27 x 2 bedroom apartments
- 5 x 3 bedroom apartments.

The Planning Officers report considers that the proposed development is acceptable in terms of the requirements of the Sustainable Urban Housing Guidelines as they relate to mix, dual aspect and floor area. The open space provision exceeds the minimum requirements and the change of use of the community room is deemed acceptable. The provision of the 4 additional 1 bedroom units on the third floor will increase the overall height of the permitted development, rather the additional units will eliminate the previously permitted set back at this level. The report concludes that the development is acceptable, and that the development is unlikely to have a negative impact on adjoining residential amenity or a negative visual impact on the area.

The Planning Officer concludes that the proposed development is acceptable and recommends that permission for the development be granted. This Planning Report

formed the basis of the Planning Authority's decision to issue a decision to grant permission.

3.2.2. **Other Technical Reports**

Drainage Division: No objections.

Transportation Planning Division: No objections subject to compliance with conditions of previous grant of planning permission.

3.2.3. **Prescribed Bodies**

None.

3.2.4. **Third Party Submissions**

There are 7 no. third party submission noted on the planning authority file. The issues raised are summarised as follows:

- The development is already lacking in parking facilities for potential residents.
- Additional apartments will cause further problems with overflow parking and traffic congestion.
- Further apartments will increase pressure on local infrastructure and services such as schools, sewage, refuse and water pressure.
- The increased number of apartments is in contravention of the designated zoning (Z4) mixed use zoning for the area. The commercial units are a token provision.
- The development does not give regard to the urban form, scale and character and is not consistent with the built heritage of the area – 2-storey terraced houses.
- Insufficient communal spaces or facilities provided to accommodate the large number of dwellings and residents.
- Negative impact on living quality and social cohesion for future residents.
- Overshadowing impacts of the development on adjacent residents.
- Impact of construction due to noise.

- Previous objections to the permitted development are included in a third-party objection as all prior objections remain.
- Flooding issues raised including issues relating to the underground stream.
- Impacts on existing properties including security issues, overlooking and overshadowing.
- The development constitutes overdevelopment of the site.
- Objects to the removal of the boundary wall between the site and the lane.
- Title issues relating to the lane are raised.
- Issues with asbestos in roofs of existing buildings on the site.
- Previous ABP Inspector raised concerns in terms of the height and mass of Block 1, the proposed changes will increase the problems described.
- A sunlight and shadow analysis study may be required.
- Loss of existing car park will increase problems on the local roads.
- A new plan for car parking layout is required.
- Inadequate public open space provided and payment in lieu is not acceptable as there is no site nearby that can be converted for open space.
- No updated landscaping plans were provided and those submitted still include Blocks 4, 5 and 6. The plan for this area needs to be known.
- Inadequate number of dual aspect apartments.
- Location of proposed ground floor apartment beside the commercial bin storage area is raised as a concern.
- The community room, to be eliminated, was the only indoor communal space to be provided and its loss will mean a loss of amenity for residents.
- Apartments should be discouraged by Dublin City Council.
- The developer is not considering the existing local residents or the quality of living of people who will reside in the proposed units.
- This will be the fourth new development in Walkinstown, and it is considered unfair to increase the size of the permitted development.

4.0 Planning History

The following is the relevant planning history pertaining to the subject site:

ABP ref: PL29S.307186 (P.A. Reg. Ref 4364/19): Permission granted on appeal for a mixed uses commercial and residential development in six blocks comprising two blocks in commercial use and four blocks containing 70 apartments along with communal meeting space.

The Boards decision granted planning permission for the construction of Blocks 1, 2 and 3 only, and refuse permission for the Blocks 4, 5 and 6, all of which were to be located in the long and narrow site which extends south from the main body of the overall site. The reasons for refusal for these 3 blocks was stated as follows:

1. Having regard to the narrow configuration, back land and isolated nature of the area of the site in which Blocks 4, 5 and 6 are to be located, the predominance of end on parking to the front, poor outlook from the dwelling units to the front and rear to either side towards boundaries and the rear of existing residential properties and their lack of linkage or visual connectivity with the community amenity space serving the development, it is considered that the proposed development of Blocks 4, 5 and 6 would seriously injure the residential amenities of the future occupants, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proposed continuous end on parking provision directly off the access road serving the proposed development and adjoining developments on Walkinstown Road, including locations close to the right angled bend and close to the junction with Walkinstown Road, the Board is not satisfied, on the basis of the information available in connection with the application and the appeals, that the proposed development would not lead to obstruction and conflicting traffic movements that would endanger public safety by reason of traffic hazard.

ABP ref: PL29S.301043 (P.A. Reg. Ref 4388/17): Permission refused on appeal for a mixed uses commercial and residential development in four blocks for

reasons relating to overdevelopment due to excessive scale and height and overbearing impact, back land development, unsatisfactory open space and circulation and adverse impact on amenities and privacy of future occupants.

ABP ref: PL29S.244514 (P.A. Reg. Ref 3768/15): Permission refused on appeal for a two-storey café and a double height drive thru restaurant along with 28 carparking spaces, external amenity and seating area, signage, and site works for reasoning relating to residential amenities and land use mix having regard to the Z4 zoning objective.

ABP ref: PL123783 (P.A. Reg. Ref 2379/00): Permission granted for a development with retail use on the ground floor restaurant at first floor and offices at second floor and medical consultancy at the third floor along with storage and carparking.

5.0 Policy and Context

5.1. National Planning Framework – Project Ireland 2040, DoHP&LG 2018

5.1.1. The NPF includes a Chapter, No. 6 entitled ‘People, Homes and Communities’. It sets out that place is intrinsic to achieving good quality of life. A number of key policy objectives are noted as follows:

- 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 residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights”.

5.1.2. National Planning Objective 13 provides that “in urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated

outcomes, provided public safety is not compromised and the environment is suitably protected”.

5.2. Sustainable Residential Development in Urban areas, Guidelines (DoEHLG, 2009):

- 5.2.1. These statutory guidelines update and revise the 1999 Guidelines for Planning Authorities on Residential. The objective is to produce high quality – and crucially – sustainable developments:
- quality homes and neighbourhoods,
 - places where people actually want to live, to work and to raise families, and
 - places that work – and will continue to work - and not just for us, but for our children and for our children’s children.
- 5.2.2. The guidelines promote the principle of higher densities in urban areas as indicated in the preceding guidelines and it remains Government policy to promote sustainable patterns of urban settlement, particularly higher residential densities in locations which are, or will be, served by public transport under the *Transport 21* programme.
- 5.2.3. Section 5.6 of the guidelines suggest that there should be no upper limit on the number dwellings permitted that may be provided within any town or city centre site, subject to the following safeguards:
- compliance with the policies and standards of public and private open space adopted by development plans;
 - avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;
 - good internal space standards of development;
 - conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;
 - recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area; and

- compliance with plot ratio and site coverage standards adopted in development plans.

5.3. Development Plan

- 5.3.1. The Dublin City Development Plan 2016 – 2022, is the relevant policy document relating to the subject site. The site is partially zoned Z4 – District Centres where it is the stated objective of the zoning ‘To provide for and improve mixed-use services facilities’. The southern area of the site is zoned Z1 – Sustainable Residential Neighbourhoods where it is the stated objective ‘To provide, protect and improve residential amenities’.

5.4. Natural Heritage Designations

The site is not located within any designated site. The closest Natura 2000 site are the South Dublin Bay SAC (site code 00210) and the South Dublin Bay and River Tolka Estuary SPA (site code 004024) which are located approx. 7.7km to the east of the site. The North Dublin Bay SAC (Site code 000206) and North Bull Island SPA (Site Code 004006) lie approximately 10.6km to the east.

5.5. EIA Screening

- 5.5.1. The subject appeal does not relate to a class of development which requires mandatory EIA. The Board will note that the permitted development on the site, amounts to a mixed-use development which includes 56 residential units, on a site covering 0.6683ha.
- 5.5.1. Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:
- Construction of more than 500 dwelling units
 - Urban development which would involve an area greater than 2ha in the case of a business district, 10ha in the case of other parts of a built-up area and 20ha elsewhere.

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

- 5.5.2. The proposed development comprises an additional 5 residential units in the form of 4 x 1 bed and 1 x 2 bed apartments within previously permitted Block 1. The proposed units will be located within the footprint of the building through the omission of the previously permitted community room at ground floor level, and the filling out of the ‘stepbacks’ on the southern and northern ends of Block 1 at third floor level. The fourth-floor level of the building will continue to be stepped back. The result of the proposed amendment will see the northern and southern gables rising from a permitted 10.9m in height to a proposed 13.75m in height.
- 5.5.3. The proposed development, if permitted, will not result in the construction of more than 500 dwelling units. The site is located in an urban area that does not come within the above definition of a “business district” and is more probably more akin to ‘other parts of a built-up area’. In any case, the site is below the threshold of 2 ha for a ‘business district’ location, and substantially below the 10ha threshold for ‘other parts of a built-up area’ which would trigger the need for a statutory EIAR. It is therefore considered that the development does not fall within the above classes of development and does not require mandatory EIA.
- 5.5.4. In accordance with section 172(1)(b) of the Planning and Development Act 2000 (as amended), EIA is required for applications for developments that are of a class specified in Part 1 or 2 of Schedule 5 of the 2001 Regulations but are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.
- 5.5.5. Having regard to:
- (a) the nature and scale of the development,
 - (b) the urban / built nature of the site,
 - (c) the zoning afforded to the site and the availability of public services and infrastructure,

- (d) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

It is concluded that 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

This is a third-party appeal against the decision of the Planning Authority to grant planning permission for the proposed development. The issues raised reflect those submitted to the PA during their assessment of the proposed development and are summarised as follows:

- Visual amenity injury to residents due to loss of outlook and a resultant loss of privacy and increased noise.
- Impacts on the land and property values.
- The increased number of dwellings suggests a contravention of the Dublin City Development Plan in relation to character, scale, mass, height and layout in contrast with those of the pre-existing homes.
- The removal of the setback storeys to accommodate extra apartments will make the development more monolithic in appearance.
- The northern part of the site is zoned Z4: to provide for and improved mixed-services facilities. The proposed plan consists of only 2 commercial units and is primarily a residential apartment development.
- A lack of community facilities and playing areas for children will negatively impact social cohesion for prospective residents.
- The proposed plan shows a lack of suitable housing for families which would be more in demand locally.

- Issues relating to inadequate car parking and roads and traffic implications.
- The development does not fit in well with the local architecture and layout, in particular the block on Balfe Road.
- Drainage concerns raised.
- Precedent set by the proposed development.

It is requested that the Board give serious consideration to rejecting outright or recommending considerable scaling down of this flawed and inappropriate proposal.

6.2. First-Party Response to Third-Party Appeal

The first party submitted a response to the third-party appeal which is summarised as follows:

- The proposed development is considered to meet all standards for apartment developments and despite the removal of the community room, the central courtyard provides over 2½ times the required communal open space for the level of development permitted on the overall site.
- Reference is made to potential impact on the character of Balfe Road whereas the proposed development is confined to the frontage of Walkinstown Road and has no potential impact on Balfe Road.
- There is no alteration to the permitted retail / service element of the development.
- Since the grant of permission, the applicant has been in negotiation with an Approved Housing Body (AHB) and DCC and the identified housing need is for smaller units to accommodate those from the housing list and to free up units that are under used by low occupation.
- There is an identified need for more single bedroomed apartments.
- The proposed development provides additional units without additional height to the building.

It is requested that permission be granted.

6.3. Planning Authority Response

None.

6.4. Observations

One observation is noted in relation to the subject appeal which is summarised as follows:

- Concerns raised in relation to noise and traffic.
- Impact on the sewage system.
- Parking situation on Balfe Road is already a problem.
- As a shift worker, the noise associated with the working hours will impact on mental and physical health.

7.0 Assessment

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the proposed development and the nature of existing and the planning history of the site and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. Principle of the development
2. Compliance with National Guidelines & Standards, the Development Plan & General Development Standards
3. Visual & Residential Amenity Impacts
4. Other Issues
5. Appropriate Assessment

7.1. Principle of the development

- 7.1.1. The subject site is located on lands zoned Z4: District Centre where it is the stated objective of such zoning to provide for and improve mixed-services facilities. This

zoning objective identifies 'residential' as a permissible use and as such, and having regard to the planning history of the site, I am satisfied that the principle of the proposed development is acceptable.

7.2. Compliance with National Guidelines & Standards, the County Development Plan & General Development Standards:

- 7.2.1. Having regard to the location of the subject site within Dublin city, together with the brownfield nature of the site and its recent planning history, I am satisfied that the principle of higher-density residential development can be considered acceptable and in accordance with the general thrust of national policy. The Board will also note the location of the site in an area which is well served by public transport which includes access to both bus services and the Luas (Bluebell approximately 700m and Kylemore approximately 1km). The bus stops are located between 80m and 160m from the site on Walkinstown Road and Drimnagh Road, a QBC.
- 7.2.2. In terms of density, the proposed development, if permitted, will result in a plot ratio of 1:1 and a site coverage of 35%. The Dublin City Development Plan indicates an indicative plot ratio of 2.0 for Z4 zoned lands and an indicative site coverage of 80%. The proposed development is wholly acceptable in this regard.
- 7.2.3. I note that the proposed apartments, the 5 the subject of this appeal, all accord with the minimum requirements as set out in the Sustainable Urban Housing: Design Standards for New Apartments, DoHPLG December 2020 and I note that 6 additional cycle spaces are proposed to serve the development, which is acceptable to the Dublin City Councils Transportation Planning Division.
- 7.2.4. I am satisfied that the proposed development is acceptable in terms of compliance with the relevant guidelines and standards.

7.3. Visual & Residential Amenity Impacts

- 7.3.1. The Board will note the third-party appellants concerns in terms of the visual impact of the proposed development. The permitted development at the site includes three blocks and the current appeal relates solely to Block 1 which will front onto Walkinstown Road. While I note the issues raised regarding the wider development, I propose to focus my assessment on the elements the subject of this application only.

- 7.3.2. The proposed development comprises an additional 5 residential units in the form of 4 x 1 bed and 1 x 2 bed apartments within previously permitted Block 1. The proposed units will be located within the footprint of the building through the omission of the previously permitted community room at ground floor level, and the filling out of the 'stepbacks' on the southern and northern ends of Block 1 at third floor level. The fourth-floor level of the building will continue to be stepped back as originally permitted. The result of the proposed amendment will see the northern and southern gables rising from a permitted 10.9m in height to a proposed 13.75m in height, immediately adjacent to the existing adjacent developments.
- 7.3.3. The Board will note the evolving context of this urban area and the requirements of Building Height Guidelines in this regard. It is national policy to consolidate and densify underutilised urban sites and in terms of the visual impact associated with the nominal change to the permitted Block 1, and in the context of the permitted development on the wider site, I do not consider it to be so significant as to warrant a refusal of planning permission.
- 7.3.4. With regard to potential impacts on residential amenity, I note that the separation distance between Block 1 and the existing residential property to the south remains at 12.235m and given the orientation of the site in relation to these homes, the development will not give rise to any additional overshadowing. I also note the proposal to provide high level windows and obscure glazing along the southern elevation which will preclude the potential for overlooking of existing residential properties.

7.3.5. Other Issues

7.3.6. Roads & Traffic

With regard to roads and traffic, I note the comments of the Dublin City Councils Transportation Planning Division. I also note the requirements to comply with the conditions attached to the parent permission associated with this site. In terms of the proposal currently before the Board, I am satisfied that the additional 5 residential units can be appropriately accommodated on the site without undue impacts arising in terms of car parking, roads and traffic. A condition requiring the developer to comply with all previous conditions attached to the parent permission, An Bord

Pleanala ref: ABP-307186-20 should be attached to any grant of planning permission.

7.3.7. Loss of the Community Room

The Board will note that the third-party appellant raises concerns regarding the loss of the previously permitted community room associated with the wider development on the site. While I acknowledge this loss of communal amenity space, I note that the proposed development provides communal amenity space in excess of the minimum requirements for the wider development. In this regard, I have no objections to the change of use of the community room to a 2 bedroomed apartment.

7.3.8. Development Contribution

The subject development is liable to pay development contribution under Section 48 of the Planning and Development Act 2000, as amended. A condition to this effect should be included in any grant of planning permission.

7.3.9. Appropriate Assessment

The site is not located within any designated site. The closest Natura 2000 site are the South Dublin Bay SAC (site code 00210) and the South Dublin Bay and River Tolka Estuary SPA (site code 004024) which are located approx. 7.7km to the east of the site. The North Dublin Bay SAC (Site code 000206) and North Bull Island SPA (Site Code 004006) lie approximately 10.6km to the east.

The Board will note that the parent permission for the overall development on the site was subject to AA Screening by the Board. Having regard to the nominal scale of the current proposal for the site, together with the fact that the current proposal does not include any works to the existing ground surface, I am satisfied that no issue of habitat loss / alteration / fragmentation, or disturbance and / or disturbance of species arise.

The proposed development will increase the number of residential units at the site by 5 – comprising 4 x 1 bed and 1 x 2 bed units. In terms of water quality, the proposed development is to connect to existing public water services, which will ultimately

discharge to the Ringsend WWTP. This treatment plant is licenced to discharge treated effluent for a population equivalent of an average of 1.65 million, but the weekly averages can spike at approximately 2.36 million PE, and works are underway to increase the current capacity of the plant. The Board will also note that notwithstanding the capacity issues at the plant, the Liffey Estuary and Dublin Bay are currently classified by the EPA under the WFD 2010-2015 as being of 'unpolluted' water quality status. With the upgrading of the WWTP, the pollution level of future discharges to Dublin Bay will decrease in the medium to longer term. Having regard to the scale of the currently proposed development in the context of the overall licenced discharge at the Ringsend WWTP, I am generally satisfied that the development, if permitted, is unlikely to impact on the overall water quality within Dublin Bay. In addition, I consider that any potential for in-combination effects on water quality in Dublin Bay can be excluded.

Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

8.0 Recommendation

I recommend that planning permission be granted for the proposed development for the following stated reason and subject to the following stated conditions.

9.0 Reasons and Considerations

Having regard to the Z1 and Z4 zoning afforded to the site, to the pattern of permitted development in the area, to the provisions of the Dublin City Development Plan 2016 - 2022, to the planning history of the site and to the layout and design as submitted, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of adjoining properties, would not seriously injure the residential

amenities of future occupants 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.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to 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 comply with all previous conditions attached to the parent permission, An Bord Pleanála reference ABP-307186-20 (Dublin City Council reference 4364/19) and no development shall commence on foot of this grant of permission until all pre-development conditions shall be complied with in full.

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

A. Considine

Planning Inspector

29th July 2021