



An
Bord
Pleanála

**S. 4(1) of Planning &
Development (Housing)
and Residential
Tenancies Act, 2016**

**Inspector's Second
Addendum Report**

ABP-314019-22

Strategic Housing Development (SHD)	Demolition of the existing building on site, construction of 350 no. apartments and associated site works.
Location	Junction of Santry Avenue and Swords Road, Santry, Dublin 9 – occupying the site of the existing Chadwick Builders Merchants (www.santryavenueshd2.ie)
Planning Authority	Dublin City Council (DCC)
Applicant	Dwyer Nolan Developments Ltd.
Prescribed Bodies	<ol style="list-style-type: none">1. Irish Water2. DAA3. Transport Infrastructure Ireland4. National Transport Authority
Observers	34 no. as per the original Inspector's Report (IR) dated 2 nd December 2022

Date of Site Inspection

10th September 2024

Date of Oral Hearing

13th March 2025

Inspector

Anthony Kelly

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1.0 Introduction

- 1.1. This second Addendum Report (AR) should be read in conjunction with the previous Inspector's Report (IR) on file dated 2nd December 2022 and the previous AR on file dated 18th November 2024 prepared in respect of strategic housing development

(SHD) application ABP-314019-22. This SHD application was submitted to the Board under section 4(1) of the Planning & Development (Housing) and Residential Tenancies Act, 2016 (as amended).

- 1.2. Pursuant to Board Direction BD-018449-24 a limited agenda oral hearing was held¹ as provided for in section 18 of the 2016 Act, (as amended). The matters addressed at the limited agenda oral hearing were:
 1. Compliance with Objective CUO25 of the Dublin City Development Plan 2022-2028, which seeks to provide a minimum of 5% of predominantly internal floor space for community, arts and culture spaces in developments of this size, having regard to Objective CUO30 of the Dublin City Development Plan 2022-2028, which requires the preparation of a cultural audit to identify shortcomings within the area and to work with the Planning Authority to identify and agree appropriate arts or cultural uses.
 2. To consider the North West Irish Sea Special Protection Area (site code 004236) in the context of the Appropriate Assessment Screening exercise for the proposed development.
 3. To consider compliance with the requirements of section 15.18.4 of the Dublin City Development Plan 2022-2028 regarding the preparation of a Basement Impact Assessment for the proposed development.
- 1.3. In response to the matters on the limited agenda the applicant proposes to replace fourteen ground floor apartments with community/arts/culture space and submitted to the oral hearing a revised ground floor plan, a Cultural Infrastructure (Impact) Assessment (CI(I)A) dated March 2024, an Appropriate Assessment Screening Report (AA Screening Report) dated March 2024 and updated cover letter dated 25th February 2025 in relation to same, and a Basement Impact Assessment (BIA) dated 29th February 2024².
- 1.4. Submissions in relation to the limited agenda oral hearing were also received from Dublin City Council (DCC) and John Nolan, a third-party observer.

¹ Remotely, on 13th March 2025.

² The three documents dated 2024 were originally submitted with the Large-scale Residential Development (LRD) application on site which was granted by the Board in October 2024 under ABP-320106-24. It was clarified during questioning at the oral hearing that these documents were also being submitted for this SHD application and should be read as such.

2.0 Oral Hearing

- 2.1. This section summarises the online limited agenda oral hearing that took place on Thursday March 13th 2025. A complete recording of the oral hearing is available for the Board's consideration and is attached to the file. It commenced at 10.00am and concluded at approximately 11.05am. The following parties were represented at the hearing:
- 2.2. Applicant – Tracy Armstrong (Armstrong Fenton Associates), Alison Nash (Armstrong Fenton Associates), Liam Gaffney (Enviroguide), and Edwin O'Dwyer (Dwyer Nolan Developments Ltd.).
- 2.3. Dublin City Council – Billy Joe Padden (Senior Planner), Niamh Fitzgerald (Senior Engineer, Drainage Section), and Daniel Lowe (Senior Executive Engineer, Drainage Section).
- 2.4. Observer – John Nolan.
- 2.5. Submissions were received by the Board from the parties in advance of the hearing.

Inspector's Opening Statement

- 2.6. I made an opening statement setting out relevant procedural aspects of the hearing, including the rationale for the holding of the hearing.

Submission to the Hearing on Behalf of the Applicant

- 2.7. Tracy Armstrong made the submission on behalf of the applicant. After providing a description of the proposed development, the applicant proposed to replace 14 ground floor apartments with community, arts, and culture space uses to address objective CUO25 of the Dublin City Development Plan (DCDP) 2022-2028. The applicant referenced both the Appropriate Assessment (AA) Screening Report dated March 2024 prepared for the extant LRD permission on site (ABP-320106-24), and an updated letter dated 25th February 2025 from the applicant's Senior Ecologist who reviewed the Screening Report, to address the North-west Irish Sea Special Protection Area (SPA) issue. The applicant also referenced the Basement Impact Assessment (BIA) prepared for the extant LRD permission to address the requirement for same in the DCDP 2022-2028.

- 2.8. Full detail is contained in the audio recording of the hearing and in the applicant's written submission, which are on file.

Submission to the Hearing on Behalf of Dublin City Council (DCC)

- 2.9. Billy Joe Padden referenced the planning authority's submission dated 7th March 2025 to the Board in relation to the oral hearing, and noted the applicant's submission. Should the Board consider it appropriate to condition the 5% cultural, arts, and community space the Council would have no objection in principle. The SPA issue is a matter for the Board as the competent authority. It was also noted that no BIA was submitted with the application. The Council concluded its submission by inviting the Board to consider the Chief Executive's Report³ and DCC's oral hearing submission.

Observer's Submission to the Hearing

- 2.10. John Nolan noted that as the adequacy of the community space has already been adjudicated upon in the LRD he had nothing further to add.

Questioning

- 2.11. After a short break I asked both John Nolan, initially, and then the planning authority whether they had any questions for the applicant. Neither had.
- 2.12. I then had three questions for the applicant:

- There were only initials provided for the authors of the AA Screening Report dated March 2024. Liam Gaffney clarified the authors are Eli Kane, Liam Gaffney, and Shea O'Driscoll.
- I noted that the documentation supporting the applicant's oral hearing submission i.e. the AA Screening Report, the CI(I)A, and the BIA are all dated 2024 and all reference the LRD in terms of development descriptions. Tracy Armstrong confirmed for the record that these were also being submitted in support of this SHD application and should be read as such.
- Tracy Armstrong also confirmed that the applicant was confident that the conclusions reached in the CI(I)A remain applicable notwithstanding it is dated March 2024.

Inspector's Closing Comments

³ This is dated 31st August 2022 and was submitted by DCC on foot of the SHD application.

2.13. I made a brief closing statement and then closed the limited agenda oral hearing.

3.0 Assessment

- 3.1. This second AR should be read in conjunction with the IR on file dated 2nd December 2022 and the AR on file dated 18th November 2024. The IR assessed in detail the original SHD planning application in the context of the DCDP 2016-2022, and the AR assessed the SHD in the context of the current DCDP 2022-2028 and relevant updated Guidance.
- 3.2. The reason the Board directed that a limited agenda oral hearing be held was because the development plan under which the application is to be decided is the DCDP 2022-2028 and not the 2016-2022 Plan under which the application was made. Objective CUO25 and the BIA are material changes in the current Plan from the previous Plan and the North-west Irish Sea SPA was designated in 2023 after the application was made in 2022. The Board was precluded from seeking further information and circulating the response to all parties so it took the decision in the interest of natural justice to have a limited agenda oral hearing, as provided for in section 18 of the Planning & Development (Housing) and Residential Tenancies Act, 2016, as it is the only mechanism by which these issues could have been addressed in a public forum.
- 3.3. Having regard to the contents of both the IR and the AR, and the information presented at the limited agenda oral hearing, I am satisfied that the only outstanding matters to be addressed are the three matters for which the limited agenda oral hearing was held. These are individually considered in this section.

1. Objective CUO25 of the Dublin City Development Plan (DCDP) 2022-2028

- 3.4. Objective CUO25 requires that development in excess of 10,000sqm must provide at a minimum for 5% community, arts, and culture spaces, predominantly internally, as part of the development. This objective was introduced as part of the DCDP 2022-2028, and it was not an objective of the 2016-2022 DCDP under which this SHD application was originally submitted. The cumulative gross floor area of the proposed SHD is 26,488sqm and 5% of this is 1,324.4sqm. As 188.1sqm of community space was proposed as part of the application this resulted in a shortfall of 1,136.6sqm.

- 3.5. I described in paragraph 2.5.4 of the AR dated 18th November 2024 how the required community, arts, and culture space could be achieved, without a fundamental re-design of the proposed development, by replacing certain ground floor apartments with community, arts, and culture space. As part of the submission to the oral hearing, the applicant provided a revised ground floor plan which provided for the removal of 14 apartments and the provision of community spaces of varying sizes in lieu. This is illustrated on the 'Ground Floor Plan – Oral Hearing' drawing dated 27th February 2025 which accompanied the applicant's oral hearing submission. The updated ground floor layout is relatively similar, but is not identical, to that submitted as part of the permitted LRD application⁴.
- 3.6. The 14 apartments had a floor area of 1,144.7sqm which, when added to the 188.1sqm originally proposed as a community space, would result in a floor area of 1,332.8sqm for community, arts, and cultural space, in excess of the 1,324.4sqm required. The number of residential units in the SHD would reduce from 350 to 336. The floor area of the commercial units and communal spaces would not be affected.
- 3.7. A CI(I)A dated March 2024 accompanied the applicant's oral hearing submission. It was prepared for the LRD application, in line with objective CUO30 of the DCDP 2022-2028, which requires applications for development over 10,000sqm to, inter alia, undertake a cultural audit for the local area to identify shortcomings within the area and identify appropriate arts or cultural uses. The applicant stated at the limited agenda oral hearing that the conclusions reached in this document remain applicable. Though referencing a different application I consider that, given the similarity in the scale of the LRD and SHD applications, and that they both occupy the same site, the conclusions reached can be broadly considered acceptable for the current application. The CI(I)A considers the proposed space is sufficient to host multiple cultural and community typologies. The area is under-serviced by appropriate cultural infrastructure, according to the document. Given the very limited existing provision the CI(I)A also considers that the proposed development would result in minimal, if any, displacement. I consider that the CI(I)A is sufficient to satisfy the provisions of objective CUO30.

⁴ ABP-320106-24 was granted by the Board on 23rd October 2024 following a third party appeal of the decision of DCC to grant permission under LRD6044/24-S3A. 321 apartments had been applied for. Condition 3(a) of the grant requires the omission of four apartments to accommodate a childcare facility.

- 3.8. I consider that the revisions to the ground floor, proposed as part of the applicant's submission to the oral hearing, are sufficient to address objective CUO25 of the DCDP 2022-2028. The proposed development would have a minimum 5% of the floor area being provided for community, arts, and culture use and an appropriate cultural audit has been submitted as required by objective CUO30.
- 3.9. Given the significant increase in community/arts/cultural floorspace I also consider that a condition similar to that included as condition 8 of the LRD permission, which relates to the use and management of these spaces, should be included should permission be granted.
- 3.10. Notwithstanding the principle of the compliance of the proposed development with objective CUO25, there are consequent implications of the proposed revision in matters such as unit mix, car and bicycle parking, and elevations.

Changes to unit mix

- 3.11. The unit mix for the original SHD application was 113 1-bed units, 218 2-bed units, and 19 3-bed units (350 units). Further to the revisions proposed as part of the oral hearing submission the mix would be revised to 112 1-bed units, 206 2-bed units, and 18 3-bed units (336 units). This mix would remain compliant with the provisions of specific planning policy requirement (SPPR) 1 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (July 2023) in that fewer than 50% of proposed units are one-bed or studio units. The Housing Need Demand Assessment for the DCDP 2022-2028 does not apply to this area.

Changes to car and bicycle parking

- 3.12. I previously considered car parking in paragraph 2.9.3 (SPPR 3) of the AR dated 18th November 2024. As a result of the proposed reduction in apartment numbers the car parking ratio would increase slightly from approx. 0.6 per apartment as originally proposed to approx. 0.62. Therefore I consider that there would be negligible impact on car parking standards as a result of the reduction in apartment numbers. The BIA dated 29th February 2024 was submitted to the oral hearing to address the Plan requirement for such a document. The BIA provides for 161 car parking spaces at basement level as per the layout plan attached to appendix B of that document and as permitted as part of the LRD permission. However, the SHD basement car park subject of this application contains 173 car parking spaces and should permission be

granted for this SHD application, it is the 173 space SHD basement layout as applied for that would be the basement permitted.

- 3.13. Table 2 of appendix 5 to the DCDP 2022-2028 outlines maximum car parking standards for various land uses. In Zone 2 areas it is one space per apartment. For community, arts, and culture uses the most applicable rate, in my opinion, is 'community centre' which has a maximum car parking standard of one space per 275sqm gross floor area. Given these standards, I do not consider that the replacement of apartments with community, arts, and cultural space would have any significant car parking implication. In terms of bicycle parking standards, table 1 of appendix 5 identifies a standard of one space per apartment bedroom plus one short-stay/visitor space per two apartments while the community centre standard is one per 100sqm gross floor area. Similar to the car parking, I do not consider that the revised floor area uses would have any significant bicycle parking implication.

Changes to elevations

- 3.14. As part of the limited agenda oral hearing submission the applicant provided a 'Ground Floor Plan – Oral Hearing' drawing dated 27th February 2025. I note that, although there are some elevational alterations to the affected floor areas as a result of the proposed changes of use⁵, no accompanying elevation drawings were submitted. I also note that the revised ground floor plan appears to allow users of the community spaces in Block F to access communal open space between Blocks F and G via external doors/ground floor balconies. In the interest of security I consider that no access to private/communal areas should be permitted and all community use areas should only be accessible via public areas. I consider that it would be appropriate to include a condition to any grant of permission that revised elevations for Blocks C, D, E, and F are provided together with a floor plan showing all access points to the various community spaces accessible only through public areas.

Conclusion

- 3.15. Having regard to the foregoing, I consider that the detail submitted as part of the applicant's submission to the limited agenda oral hearing has addressed the requirement for 5% of the floor area to be provided as community/arts/cultural use as

⁵ For example there are new external doors for proposed community floor spaces to the public open space areas in blocks C and D and larger ground floor balconies for proposed community floor spaces in Blocks E and F.

per objective CUO25 of the DCDP 2022-2028. I consider that relevant conditions relating to management, access, and elevations as referenced above should be included in any grant of permission. I consider that Item 1 of the limited agenda oral hearing has been satisfactorily addressed.

2. Appropriate Assessment (AA) Screening

- 3.16. Screening for AA was initially carried out in section 13 of the IR dated 2nd December 2022. The IR concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on South Dublin Bay Special Area of Conservation (SAC), North Dublin Bay SAC, South Dublin Bay and River Tolka Special Protection Area (SPA), North Bull Island SPA, or any other European site, in view of the sites' conservation objectives, and stage 2 AA was not required.
- 3.17. North-west Irish Sea SPA was designated in 2023, after the submission of the SHD application. I carried out an AA screening exercise, specific to this SPA, in section 4/appendix 1 of the AR dated 18th November 2024. I concluded that the proposed development would not have a likely significant effect on North-west Irish Sea SPA, and therefore on any European site either alone or in combination with other plans or projects having regard to the conclusion of the previous IR. As this SPA was not considered in the AA Screening Report dated 30th May 2022 which accompanied the SHD application the Board included this as the second limited agenda matter to be addressed.
- 3.18. As part of the limited agenda oral hearing submission the applicant submitted the AA Screening Report dated March 2024 that was submitted as part of the documentation for the permitted LRD application. The report concluded, on the basis of objective information, that the possibility may be excluded that the proposed development will have a significant effect on the four European sites referred to in paragraph 3.16 and North-west Irish Sea SPA, arising from the project itself or in combination with other plans and projects. It was clarified through questioning at the limited agenda oral hearing that this AA Screening Report, despite its date and references to both the LRD and development description, was to be read as being submitted for this SHD application.

- 3.19. However, as well as the AA Screening Report dated March 2024 the applicant also submitted a letter dated 25th February 2025 from the applicant's Senior Ecologist who reviewed the report in the first instance. The letter notes that the applicant's LRD AA Screening Report considered the North-west Irish Sea SPA in its assessment and identified the same pathways to the SPA as were set out to other European sites in the SHD AA Screening Report i.e. hydrological pathways via surface water discharge and discharges from Ringsend wastewater treatment plant into Dublin Bay. The SHD application and the LRD permitted can be considered as similar developments on the same site. The letter states that although North-west Irish Sea SPA was not included in the SHD AA Screening Report it would have screened out with no likely significant effects identified for the same reasons detailed in the submitted SHD Screening Report regarding the other Dublin Bay European sites. The letter concludes that no potential for likely significant effects are identified and there is no likelihood that the proposed SHD would undermine the integrity of the SPA.
- 3.20. Having regard to the content of the AA Screening Report prepared for the SHD application, the AA Screening in the IR dated 2nd December 2022, the content of the AA Screening Report prepared for the LRD application, the AA Screening in the AR dated 18th November 2024, and the letter submitted in support of the applicant's limited agenda oral hearing submission, in my opinion it is clear that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects and AA (stage 2) under section 177V of the Planning & Development Act, 2000 (as amended) is not required. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion. This conclusion is based on:
- objective information presented in the Appropriate Assessment Screening Reports,
 - the zone of influence of potential impacts, which does not include North-west Irish Sea SPA (site code 004236), and,
 - the nature of the site which is not an ex-situ site for SCI species.
- 3.21. I consider that Item 2 of the limited agenda oral hearing has been satisfactorily addressed and that my screening assessment carried out in the AR dated 18th November 2024 remains valid.

3. Basement Impact Assessment (BIA)

- 3.22. Section 15.18.4 of the DCDP 2022-2028 states that a BIA shall accompany all planning applications that include a basement. This requirement was introduced in the DCDP 2022-2028 and it was not a requirement of the 2016-2022 DCDP under which this SHD application was originally submitted.
- 3.23. In the period between submitting this SHD application and the notification of the decision of the Board to hold a limited agenda oral hearing the applicant received permission for an LRD development on site which includes a basement car park. The LRD application was accompanied by a BIA dated 29th February 2024. This document was also submitted by the applicant to support the applicant's limited agenda oral hearing submission. It was clarified through questioning at the limited agenda oral hearing that this BIA, despite its date and references to both the LRD and development description, was to be read as being submitted for this SHD application.
- 3.24. The basement proposed as part of this SHD application and the one permitted as part of the LRD permission are effectively identical. They have the same floor areas (5,471sqm), footprints, and positions and are both accessed via a ramp located between Blocks B and C. Though they propose to accommodate different numbers of cars (173 in the SHD as opposed to 161 in the LRD) with slightly different internal arrangements, there are no material differences. As set out in paragraph 3.12 the basement layout proposed as part of the SHD application, for 173 car parking spaces, is the relevant layout should permission be granted for this SHD application.
- 3.25. Given that the two basements are effectively identical and that ground conditions and hydrogeology are not likely to have altered since the BIA was prepared in February 2024, I accept the provisions of the LRD BIA for this SHD application. The BIA contains an introduction, the results of a desktop survey, and an assessment of ground conditions, hydrogeology, and ground movement. It considers that any damage to neighbouring properties would be negligible, and no significant issues were noted.
- 3.26. Having regard to the foregoing, I consider that the BIA satisfies the requirement of the DCDP 2022-2028 for submission of same and I consider that the proposed basement would not have any undue adverse impact. I consider that Item 3 of the limited agenda oral hearing has been satisfactorily addressed.

4.0 Other Matters

- 4.1. There are three other matters that I consider it relevant to briefly address.

Environmental Impact Assessment (EIA)

- 4.2. I note the provisions of the IR dated 2nd December 2022 in relation to the reasoned conclusion on the significant effects of the proposed development (pages 144-147). I do not consider that the matters addressed in the limited agenda oral hearing have any material effect on the EIA as carried out in the IR.

Creche

- 4.3. No creche was proposed as part of the SHD application. A Social & Community Infrastructure Assessment dated 20th June 2022 was submitted with the application, subsection 7.2 of which relates to childcare. The applicant considered that the demand for childcare places generated by the proposed development could be adequately catered for by existing childcare facilities in the study area. DCC noted the applicant's rationale but considered it reasonable that a creche facility be provided and identified a potential suitable location as the ground floor of Block C. In subsection 11.11 (Childcare) of the IR dated 2nd December 2022, the Inspector agreed that a creche should be provided, though in one or more of the proposed commercial units in Blocks A and B given the level of vacancy in recently permitted retail/commercial units. Recommended Condition 3 (a) reflected this.
- 4.4. The proposal to replace 14 apartments with community/arts/cultural floor space would not affect the provision of the creche as per recommended condition 3(a) of the IR.

Original Inspector's Report (IR) Dated 2nd December 2022

- 4.5. Board Direction BD-017235-24 dated 14th August 2024 sought an updated report from Inspectorate providing an assessment of the proposed development by reference to the current statutory development plan and any relevant updated Guidance. I prepared the AR dated 18th November 2024 specifically having regard to the changes between the 2016-2022 and 2022-2028 DCDPs and updated Guidance and on 12th December 2024, under Board Direction BD-018449, the Board directed a limited agenda oral hearing be held. This was held on 13th March 2025. On foot of the limited agenda oral hearing, the only matter which had a material impact on the proposed development is the provision of 5% community/arts/cultural space.

- 4.6. Having regard to the foregoing, I have altered the Recommendation (Section 14.0), the Reasons and Considerations (Section 15.0), and the Recommended Board Order (Section 16.0) of the IR dated 2nd December 2022 only in so far as required to reflect the development as proposed on foot of the limited agenda oral hearing, the DCDP 2022-2028, and the current policy environment⁶. These sections are set out in sections 5, 6, and 7 of this second addendum report.

5.0 Recommendation

- 5.1. I consider the principle of development as proposed to be acceptable on this site. The site is suitably zoned for residential and commercial development, is a serviced site, where public transport, social, educational and commercial services are available. The proposed development is of a suitably high quality and provides for a mix of one, two and three-bedroom apartments which are served by high quality communal and public open space.
- 5.2. I do not foresee that the development will negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian, cycling and public transport is available to serve the development. The development is generally in accordance with National Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area.
- 5.3. I recommend that section 9(4)(a) of the Act of 2016 be applied, and that permission is **GRANTED** for the development, for the reasons and considerations and subject to the conditions set out below.

6.0 Reasons and Considerations

Having regard to:

⁶ I have omitted recommended condition 20 of the original IR dated 2nd December 2022 because it duplicates recommended condition 19 (a), and I have omitted recommended condition 30 because restrictions on corporate entity ownership do not apply to apartment developments. Otherwise all recommended conditions of the IR dated 2nd December 2022 are reproduced in this second addendum report.

(i) the site's location on lands with a zoning objective for neighbourhood centre including residential and commercial and the policy and objective provisions in the Dublin City Development Plan 2022-2028 in respect of residential development,

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dublin City Development Plan 2022-2028 and appendices contained therein,

(iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,

(iv) to Housing for All – A New Housing Plan for Ireland, issued by the Department of Housing, Local Government and Heritage in September 2021,

(v) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,

(vi) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

(vii) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, July 2023,

(viii) the Climate Action Plan 2025,

(ix) the availability in the area of a wide range of social and transport infrastructure,

(x) to the pattern of existing and permitted development in the area,

(xi) Chief Executive's Report and supporting technical reports of Dublin City Council,

(xii) the comments made at the North Central Area Committee meeting,

(xiii) to the submissions and observations received,

(xiv) the submissions and observations made to the oral hearing on the 13th day of March 2025 including the amendments made to the application, and,

(xv) the Inspectors' reports which include a revised Appropriate Assessment screening relating to the North-west Irish Sea Special Protection Area (SPA) (site code 004236),

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 or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and

pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

7.0 Recommended Board Order

Application: for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars lodged with An Bord Pleanála on the 7th July 2022, as amended by plans and particulars lodged with An Bord Pleanála as part of the limited agenda oral hearing on the 13th March 2025, by Dwyer Nolan Developments Ltd.

Proposed Development:

Permission for a strategic housing development, on a site of c. 1.5 hectares, located at the junction of Santry Avenue and Swords Road, Santry, Dublin 9.

The development site is bounded to the north by Santry Avenue, to the east by Swords Road, to the west by Santry Avenue Industrial Estate, and to the south by the permitted Santry Place development (granted under Dublin City Council Ref's. 2713/17 & 2737/19). The proposed development provides for 350 no. apartments, comprised of 113 no. 1 bed, 218 no. 2 bed, & 19 no. 3 bed dwellings, in 4 no. seven to fourteen storey buildings, over basement level, with 4 no. retail / commercial units, a medical suite / GP Practice unit and a community use unit located at ground floor level facing onto Santry Avenue and Swords Road. A one storey residential amenity unit, facing onto Santry Avenue, is also provided for between Blocks A & D.

The development consists of the following:

- (1) Demolition of the existing building on site i.e. the existing Chadwick's Builders Merchants (c. 4,196.8m²).
- (2) Construction of 350 no. 1, 2, & 3 bed apartments, retail / commercial, medical suite / GP Practice and community uses in 4 no. buildings that are subdivided into Blocks A-G as follows:
 - Block A is a 7 to 14 storey block consisting of 59 no. apartments comprised of 26 no. 1 bed, 27 no. 2 beds & 6 no. 3 bed dwellings, with 2 no. commercial/retail units located on the ground floor (c. 132.4m² & 173m² respectively). Adjoining

same is Block B, which is a 7 storey block consisting of 38 no. apartments comprised of 6 no. 1 bed, 26 no. 2 bed, & 6 no. 3 bed dwellings, with 1 no. commercial/retail unit and 1 no. medical suite / GP Practice unit located on the ground floor (c. 162.3m² & 130.4m² respectively). Refuse storage areas are also provided for at ground floor level.

- Block C is a 7 storey block consisting of 55 no. apartments comprised of 13 no. 1 bed & 42 no. 2 bed dwellings. Refuse storage areas are provided for at ground floor level. Adjoining same is Block D which is a 7 to 10 storey block consisting of 51 no. apartments comprised of 25 no. 1 bed, 19 no. 2 bed, & 7 no. 3 bed dwellings, with 1 no. commercial unit / café located on the ground floor (c. 163.3m²). A refuse storage area is also provided for at ground floor level.
- Block E is a 7 to 10 storey block consisting of 58 no. apartments comprised of 10 no. 1 bed & 48 no. 2 bed dwellings, with 1 no. community use unit located on the ground floor (c. 188.1m²). A refuse storage area, substation, & switchroom are also provided for at ground floor level. Adjoining same is Block F which is a 7 storey block consisting of 55 no. apartments comprised of 13 no. 1 bed & 42 no. 2 bed dwellings. A refuse storage area & bicycle storage area are also provided for at ground floor level.
- Block G is a 7 storey block consisting of 34 no. apartments comprised of 20 no. 1 bed & 14 no. 2 bed dwellings. A refuse storage area & bicycle storage area are also provided for at ground floor level.

(3) Construction of a 1 storey residential amenity unit (c. 187.9m²) located between Blocks A & D.

(4) Construction of basement level car parking (c.5,470.8m²) accommodating 173 no. car parking spaces & 719 no. bicycle parking spaces. Internal access to the basement level is provided from the cores of Blocks A, B, C, D, E, & F. External vehicular access to the basement level is from the south, between Blocks B & C. 36 no. car parking spaces & 58 no. bicycle parking spaces are also provided for within the site at surface level.

(5) Public open space of c. 1,915m² is provided for between Blocks C, D, E, & F. Communal open space of c. 3,122m² provided for between (i) Blocks E, F, & G, (ii) Blocks A, B, C, & D, and (iii) in the form of roof gardens located on Blocks A, C, & F

and the proposed residential amenity use unit. The development includes for hard and soft landscaping & boundary treatments. Private open spaces are provided as terraces at ground floor level of each block and balconies at all upper levels.

(6) Vehicular access to the development will be via 2 no. existing / permitted access points: (i) on Santry Avenue in the north-west of the site (ii) off Swords Road in the south-east of the site, as permitted under the adjoining Santry Place development (Ref. 2713/17).

(7) The development includes for all associated site development works above and below ground, bin & bicycle storage, plant (M&E), sub-stations, public lighting, servicing, signage, surface water attenuation facilities etc.

The application contains a statement setting out how the proposal is consistent with the objectives of the Dublin City Development Plan 2016-2022, and also contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

An Environmental Impact Assessment Report (EIAR) has been prepared in respect of the development proposal and accompanies the application.

Decision:

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered:

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

In coming to its decision, the Board had regard to the following:

(i) the site's location on lands with a zoning objective for neighbourhood centre including residential and commercial and the policy and objective provisions in the Dublin City Development Plan 2022-2028 in respect of residential development,

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dublin City Development Plan 2022-2028 and appendices contained therein,

(iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,

(iv) to Housing for All – A New Housing Plan for Ireland, issued by the Department of Housing, Local Government and Heritage in September 2021,

(v) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,

(vi) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

(vii) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, July 2023,

(viii) the Climate Action Plan 2025,

(ix) the availability in the area of a wide range of social and transport infrastructure,

(x) to the pattern of existing and permitted development in the area,

(xi) Chief Executive's Report and supporting technical reports of Dublin City Council,

(xii) the comments made at the North Central Area Committee meeting,

(xiii) to the submissions and observations received,

(xiv) the submissions and observations made to the oral hearing on the 13th day of March 2025 including the amendments made to the application, and,

(xv) the Inspectors' reports which include a revised Appropriate Assessment screening relating to the North-west Irish Sea Special Protection Area (SPA) (site code 004236),

and 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 or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and

pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment (AA):

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a suitably zoned and adequately serviced urban site, the Appropriate Assessment Screening Reports submitted with the application and as part of the applicant's submission to the limited agenda oral hearing, the Inspectors' Reports, and submissions on file.

In completing the screening exercise, the Board adopted the reports of the Inspectors and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites.

Environmental Impact Assessment:

The Board completed in compliance with Section 172 of the Planning and Development Act 2000, an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location and extent of the proposed development in an urban area served by foul and surface sewerage systems,
- (b) the environmental impact assessment report and associated documentation submitted with the application,
- (c) the submissions from the planning authority, the prescribed bodies and the public in the course of the application, and
- (d) the Inspectors' Reports.

Reasoned Conclusions on the Significant Effects

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment and the results of the examination set out in the Inspectors' Reports. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board considered that the main significant direct and indirect effects of the proposed development on the environment are those arising from the impacts listed below. A Construction Environmental Management Plan is the overarching general mitigation relevant to the project design and delivery for the construction stage.

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

Potential for construction activity to give rise to noise impacts on nearby sensitive receptors, which will be mitigated by the following measures:

- The relatively short-term nature of construction activities.
- Implementation of an agreed Construction Management Plan, which shall include a Noise Abatement Plan, and adherence to identified emission limit values.
- Application of Dublin City Council Good Practice Guide for high-risk sites.
- Limiting the hours of construction.
- Noise monitoring at sensitive locations.

Potential impacts on air quality and population & human health from dust emissions at construction stage, which will be mitigated by the following measures:

- Implementation of the Construction Environment Management Plan which shall include a Dust Management Plan and adherence to identified emission limit values, and the Construction and Demolition Waste Management Plan.
- Monitoring of dust deposition levels at nearby sensitive receptors during construction.
- Minimising generation of waste materials.

Potential impacts on population and human health from inward noise at operational stage, which will be mitigated by the following measures:

- The achievement of minimum sound insulation performance on identified facades within the proposed development.

Potential significant effects on Landscape and Visual Amenity arising from the redevelopment and change in the use of lands from industrial to commercial and residential use, which will be mitigated by the following measures:

- The brownfield nature of the site within this robust urban environment, and the surrounding pattern of urban redevelopment
- The zoned nature of the land and the identified need for housing in the region.
- Implementation of the Construction Environmental Management Plan.
- The design of the proposed scheme strengthening the urban character of the area, and the provision and landscaping of open spaces and the public realm.

Potential significant effects on land and soil during construction, which will be mitigated by the following measures:

- Implementation of a Construction Environmental Management Plan, incorporating a dust management plan and Construction Traffic Management Plan.
- Implementation of an agreed Construction and Demolition Waste Management Plan.
- Surface water and sediment control measures in accordance with the CEMP.
- Hazardous material to be identified during demolition of structures and removed following correct procedures.
- Imported fill which will accord with regulatory requirements.

Potential significant indirect effects on Water and Hydrology and on Biodiversity, which will be mitigated by the following measures:

- Implementation of a site-specific Construction Environment Management Plan, including surface water management to control potential emission of sediment or other contaminants from the site and monitoring of discharge.
- Connection to Irish Water networks on completion of identified upgrade works.

- The design and maintenance of the operational storm water management and attenuation system, including SUDS measures.
- Separation from sensitive water bodies and potential for dilution effects.
- Maintenance of overland storm flow routes free of obstruction.

Potential significant effects on population and human health and on traffic and transportation, which will be mitigated by the following measures:

- Implementation of an agreed Construction Traffic Management Plan.
- The central / accessible location and brownfield nature of the site, served by high frequency public transport services.
- Proposed improvements to public transport services in the area as part of Bus Connects.
- Implementation of an agreed Mobility Management Plan to promote sustainable transport modes.
- Implementation of a Car Parking Management Strategy and provision of dedicated car share spaces.
- Provision of pedestrian and cycle facilities.

Potential significant effects on population and human health arising from the demands of the increased residential community at this location, which will be mitigated by the following measures:

- Proximity to a designated district centre at the Omni Park centre and other services and facilities in this area including Santry Demesne regional park.
- Provision for commercial and community / residential amenity uses within the development.

The EIAR has considered that the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate. The likely significant environmental effects arising as a consequence of the proposed development have therefore been satisfactorily identified, described and assessed.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation

measures proposed in each chapter of the Environmental Impact Assessment Report, and, subject to compliance with the conditions set out herein, the effects on the environment of the proposed development by itself and cumulatively with other development in the vicinity would be acceptable. In doing so, the Board adopted the reports and conclusions of the reporting inspectors.

Conclusions on Proper Planning and Sustainable Development:

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

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 received by An Bord Pleanála on 26th day of February 2025 as part of the applicant's submission to the limited agenda oral hearing, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report, Bat Survey Report, Arboricultural

Report, Engineering Services Report, Landscape Design Rationale Report, Construction Management Plan, Construction Environmental Management Plan and Resource and Waste Management Plan shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

3. Prior to the commencement of development the applicant shall submit revised plans and particulars for the written agreement of the planning authority as follows:

(a) One or two units (size to be agreed with the planning authority) in Block A/B to be amalgamated to provide a childcare facility. This space shall be provided and permanently maintained within the scheme prior to the occupation of any residential units.

(b) Commercial unit A shall be utilised as a cafe/restaurant. This shall not be used for sale of hot food off the premises (that is, as a takeaway) unless authorised by a further grant of permission.

(c) Commercial units B, C, and D shall be utilised as retail units (subject to compliance with (a) above).

(d) Commercial unit E shall be provided as a medical suite/GP practice unit.

(e) The Residential Amenity Space shall be provided and permanently maintained within the scheme prior to the occupation of any residential units on site.

(f) Details of all signage, lighting (if any) of all ground floor units shall be submitted.

Reason: In the interest of residential amenity and to provide for an appropriate mix of uses in this neighbourhood centre (Z3-Zoned) site and provide an adequate standard of residential amenity for future residents of the scheme and improve the amenities of the area.

4. The development shall be carried out in accordance with the plans and particulars lodged with the planning application, as amended by the further plans and particulars received by An Bord Pleanála on the 26th day of February 2025, except as follows:

(a) A revised ground floor plan shall demonstrate that access to all arts/culture/community spaces are accessible through public spaces only, and that no access to or from communal open space or private areas is possible directly from the arts/culture/community spaces.

(b) Revised elevation drawings for Blocks C, D, E, and F shall be provided.

Revised drawings and full details showing compliance with the above requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of residential amenity and to provide for an appropriate mix of uses in this neighbourhood centre zoned site.

5. Prior to the commencement of development and in consultation with the Dublin City Arts Office, the developer shall provide details, for the written agreement of the planning authority, indicating the proposed use and future management of the arts/culture/community spaces. The arts/culture/community space shall be fully accessible to the public. Details regarding intended hours of operation and a schedule for opening the space as part of the overall development shall be submitted, for written agreement, to the planning authority prior to the commencement of Block C. All works to ensure arts/culture/community space is operational shall be undertaken at the developer's own expense.

Reason: In the interest of residential amenity and to ensure the timely delivery of services.

6. Prior to the commencement of any development on site the developer shall submit, for the written approval of the planning authority:
 - (a) a Climate Action Energy Statement as per policies CA10 (Climate Action Energy Statements) and CA17 (Supporting the Potential of District Heating in Dublin City) of the Dublin City Development Plan 2022-2028,
 - (b) revised proposals for a green blue roof as per policy SI23 (Green Blue Roofs) of the Dublin City Development Plan 2022-2028,

- (c) a Surface Water Management Plan as per policy SI25 (Surface Water Management) of the Dublin City Development Plan 2022-2028,
- (d) confirmation that the development shall provide for open access connectivity arrangements directly to individual premises in accordance with policy SI46 (Open Access / Operator Neutral Host Connectivity) of the Dublin City Development Plan 2022-2028, and,
- (e) a proposal for a piece of public art or sculpture or architectural feature as per objective CUO58 (Public Art) of the Dublin City Development Plan 2022-2028.

The development shall be carried out in accordance with the provisions of the approved documents and proposals.

Reason: To protect the environment.

7. Details of the materials, colours and textures of all the external finishes to the proposed dwellings/buildings shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

8. The development shall be carried out on a phased basis, in accordance with the phasing scheme submitted with the planning application, (unless otherwise agreed in writing with the planning authority/An Bord Pleanála prior to commencement of any development.)

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

9. (a) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side

of the hedge for its full length, and shall be maintained until the development has been completed.

(b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

(c) Excavations in preparation for foundations and drainage, and all works above ground level in the immediate vicinity of retained trees as submitted with the application, shall be carried out under the supervision of a specialist arborist, in a manner that will ensure that all major roots are protected and all branches are retained.

(d) No trench, embankment or pipe run shall be located within three metres of any trees/hedging which are to be retained on the site.

Reason: To protect trees/hedgerow and planting during the construction period in the interest of visual amenity.

10. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and Streets (DMURS). In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

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

11. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of/installation of the lighting. The agreed lighting system shall be fully implemented and operational, before the proposed development is made available for occupation.

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

12. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) A Pre-Construction Invasive Species Management Plan and an Invasive Species Management Plan if required;
- b) Provision for mitigation measures described in the EIAR;
- c) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- d) Location of areas for construction site offices and staff facilities;
- e) Details of site security fencing and hoardings;
- f) Details of on-site car parking facilities for site workers during the course of construction;
- g) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- h) Measures to obviate queuing of construction traffic on the adjoining road network;
- i) Details of lighting during construction works;
- j) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- k) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site works;
- l) Provision of parking for existing properties at during the construction period;
- m) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

- n) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- o) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- p) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- q) A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

13. Site and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays and between 0800 and 1400 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

- 14.a) Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.
- b) Any proposals by the applicant to build over/near or divert existing water or wastewater services subsequently occurs the applicant shall submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.
- c) Prior to the commencement of development the applicant shall identify and procure transfer to Irish Water of the arterial water and wastewater Infrastructure.
- d) The application shall demonstrate that the arterial infrastructure is in compliance with requirements of Irish Water Code of Practice and Standard Details and in adequate condition and capacity to cater for additional load from the Development.

e) All development shall be carried out in compliance with Irish Water Standards codes and practices.

Reason: In the interest of public health.

15. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

16. A minimum of 50% of all car parking spaces shall be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles and to comply with the provisions of Section 5.0 (Electric Vehicles) of Appendix 5 (Transport and Mobility: Technical Requirements) of the Dublin City Development Plan 2022-2028.

17. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be soiled, seeded, and landscaped in accordance with the landscape scheme submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority or management company.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

18.(a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this in the interest of residential amenity.

19. The boundary planting and public open spaces shall be landscaped in accordance with the landscape scheme submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with the planning authority. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. Additional buffer planting between the public open space and private amenity areas shall be provided and agreed with the planning authority. This work shall be completed before any of the dwellings are made available for occupation. Access to green roof areas shall be strictly prohibited unless for maintenance purposes.

Reason: In order to ensure the satisfactory of the public open space areas, and their continued use for this purpose.

20. Prior to commencement of any permitted development, the developer shall engage the services of a qualified arborist as an arboricultural consultant, for the entire period of construction activity. The developer shall inform the Planning Authority in writing of the appointment and name of the consultant, prior to commencement of development. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans. To ensure the protection of trees to be retained within the site, the developer shall implement all the recommendations pertaining to tree retention, tree

protection and tree works, as detailed in the in the submitted Arboricultural Inventory and Impact Assessment Report and accompanying documents. All tree felling, surgery and remedial works shall be completed upon completion of the works. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998: 2010 Tree Work – Recommendations. The clearance of any vegetation including trees and shrub shall be carried out outside the bird-breeding season (1 March–31 August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000. The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority upon completion of the works.

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

21.a) The buildings to be demolished and all trees shall be inspected by a suitably qualified expert for bats prior to felling. In the event a roost is found the developer shall require a derogation license from the National Parks and Wildlife Service.

b) Bat boxes shall be installed in the proposed development, prior to the occupation of the residential units. The number, type and location of the boxes shall be submitted to and agreed in writing with the planning authority.

c) Any clearance of vegetation from the site should only be carried out in the period between the 1st of September and the end of February i.e. outside the main bird breeding season.

d) protection measures for flora of importance found on site.

Reason: To avoid the destruction of the nests, nestlings and eggs of breeding birds and to avoid the proposed development causing detrimental effects on flora, fauna and natural habitats.

22.(a) Prior to the occupation of the residential units, a Mobility Management Strategy and a Car Parking Management Strategy shall be submitted to and agreed in

writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

(d) Ten motorcycle parking spaces shall be provided.

Reason: In the interest of encouraging the use of sustainable modes of transport and to comply with the provisions of the Dublin City Development Plan 2022-2028.

23. Details of signage relating to the non-residential uses unit shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

24. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

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

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

26. a) Crane activities at the site shall be coordinated with Dublin Airport Authority at least 90 days in advance for assessment of proposed crane activities.

b) Prior to the commencement of development an aviation obstacle warning lighting scheme for the development shall be agreed with the Dublin Airport Authority.

Reason: In the interests of aviation safety.

27. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:

- a. notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed ,
- b. employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and,
- c. provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

28. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

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

29. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

30. Prior to the commencement of development the applicant shall submit for the written agreement of the planning authority the following:

- a) Details for excavation works and a method statement.
- b) Asbestos survey for all structures to be demolished and proposal for its disposal if encountered.
- c) method statement for the demolition of all structure on site.

Reason: In the interest of sustainable waste management.

31. 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.

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

32. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which

section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the Development plan of the area.

33. 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.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

34. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting 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 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 Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Anthony Kelly

Planning Inspector

23rd April 2025