BSM Brady Shipman Martin. Built. Environment. Est. 1968

Hines Ireland- Aercap House

The purpose of this note is to consider, from a planning perspective, whether additional development could be achieved on the site of Aercap House (former Canada House) 65 - 68, Saint Stephen's Green South, Dublin 2. The building currently sits at 6 storeys (5 storeys plus setback floor).

Site History

DCC Reg. Ref: 3036/10- Granted 23rd September 2010

Planning Permission granted for *'the demolition of the existing five storey office block and construction of a* ***new building of an overall height of seven storeys*** *comprising c. 6607sqm gross floor area of office space over double basement including: terraced set backs at 5th and 6th floor levels; 41 basement car parking spaces; vehicular access from Earlsfort Terrace; Landscaped courtyard to rear; relocation of existing ESB substation to basement ; and all ancillary development and site works all on a site area of c. 0.15ha'.*

DCC Reg. Ref: 2551/13- Granted 31st July 2013

Planning permission was granted for amendments to permitted development (under Dublin City Council reg. ref. 3036/10) to *'provide* ***a new six story office building over two levels of basement.*** *The proposed amendments would result in a increase per floor of: ground floor 159m², first, second third and fourth floors 97m² each and fifth floor 122m². the sixth floor (414m²) is now omitted. the overall increase in gross floor area 255m². The permitted development under Dublin City Council Reg. Ref 3036/10 as amended by this application will comprise an overall total of 6862m² gross floor area.*

The proposed amendments comprise as follows; reduction in footprint of basement levels -1 and -2 by 116m² at each level; change of facade between ground and 5th storey from glazed to a combination of stone cladding and glazing relocation of pedestrian entrance to the corner of St. Stephens Green South and Earlsfort Terrace; minor reduction in set-back of 6th storey; ***omission of 7th storey;*** *reduction in overall height from c. 25m to 23m increase of building footprint by omission of rear courtyard, minor changes to internal layout; 15 no. additional bicycle spaces at basement level new to provide a total of 74 no. bicycle spaces and all ancillary development on a site area of c. 0.15ha'.*

Adjacent History

DCC Reg. Ref: 2062/21- Stokes Place- KPMG Building

Planning Permission was sought for demolition of existing building and construction of a new 4 to 8 storey office building. DCC granted permission but conditioned the removal of a floor. This decision was appealed to ABP who permitted the development at 8 storeys.

Opinion

It is considered on the basis that permission for 7 storeys was achieved on this site previously, as well as the recent precedent of 8 storeys being achieved on the western corner of the Stephen's Green South (Stokes House), that there is potential for increased height/additional floors, in the region of 1-2 storeys, on Aercap House, subject to design and standard planning assessments.

Planning Permission 3036/10

Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

RECEIVED BY
RPS PLANNING & ENVIRONMENT
17 AUG 2010
JOB NO.

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cinntí
Oifigí na Cathraoi, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 3140 / F: (01) 222 2675
Decisions T: (01) 222 2288 / F: (01) 222 2271

Date: 16-Aug-2010

Paul Hickey,
RPS Planning and Environment
Westpier Business Campus
Dun Laoghaire
Co. Dublin

Application No.	3036/10
Registration Date	21-Jun-2010
Decision Date	13-Aug-2010
Decision Order No	P2044
Location	Canada House, 65 - 66, Saint Stephen's Green South, Dublin 2
Proposal	The development will consist of the demolition of the existing five storey office block and construction of a new building of an overall height of seven storeys comprising c. 6607sqm gross floor area of office space over double basement including terraced set backs at 5th and 6th floor levels; 41 basement car parking spaces; vehicular access from Earlsfort Terrace; Landscaped courtyard to rear; re-location of existing ESB substation to basement ; and all ancillary development and site works all on a site area of c. 0.15ha
Applicant	Fieldsville Ltd
Application Type	Permission

NOTIFICATION OF DECISION TO GRANT PERMISSION

In pursuance of its functions under the Planning & Development Acts 2000 - 2007 Dublin City Council being the Planning Authority for the City of Dublin has by order dated 13-Aug-2010 decided to GRANT PERMISSION for the development described above, subject to the following condition(s)

CONDITION(S) AND REASON(S) FOR CONDITION(S)

1. Insofar as the Planning & Development Act 2000 to 2007 and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. Prior to the commencement of development, details of the materials, colours and textures

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinnti Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cinnti
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2678
Decision T: (01) 222 2258 / F: (01) 222 2271

Date 16-Aug-2010

of all the external finishes to the proposed development shall be submitted to and agreed in writing by the Planning Authority.

A panel of the proposed finishes to be placed on site to enable the planning authority adjudicate on the proposals. Any proposed render finish to be self-finish in a suitable colour and shall not require painting. Construction materials and detailing shall adhere to the principles of sustainability and energy efficiency and high maintenance detailing shall be avoided.

Reason: In the interests of orderly development and the visual amenities of the area.

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

Mondays to Fridays - 7.00am to 6.00pm
Saturday - 8.00 a.m. to 2.00pm
Sundays and Public Holidays - No activity on site.

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

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

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

Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.

Before the use hereby permitted commences, a scheme shall be submitted to and approved in writing, by the planning authority for the effective control of noise from the premises. The scheme shall be implemented before the use commences and thereafter permanently maintained.

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

Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cinntí
Oifigí na Cathrach, An Cúl Adhmaid, Baile Átha Cliath 8
Registry: T: (01) 222 3149 / F: (01) 222 2678
Decision T: (01) 222 3265 / F: (01) 222 2271

Date 16-Aug-2010

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

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

6. Prior to the commencement of Development, a Project Construction and Demolition Waste Management Plan shall be submitted to and agreed to writing by the Planning Authority.

Reason: In the interests of the protection and conservation of the environment, having regard to Circular WPR 07/06 - Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects - published by the DoEHLG, July 2006 and also Dublin City Council Waste Management Guidelines.

7. The application shall comply with the following waste management requirements in the planning process:

a. The requirements set out in the separate Bye-Laws for the Collection, Storage and Presentation of both Household and Commercial waste and certain related waste management matters must be adhered to and, in particular, the requirements in the Bye-Laws to segregate waste into separate fractions to facilitate the collection dry recyclable, organic kitchen/garden waste and residual waste.

b. Bins that comply with IS EN 840 1997 must be used. Locally, 1,100 Litre bins should be used with dimension of 1.3 metres long by 1.0 metres wide by 1.3 metres high and with a load capacity of approximately 0.5 tonnes. Other types of receptacles may only be used with the written consent of Dublin City Council.

c. For commercial developments there must be enough storage space for a minimum of 1 no. 1,100 litre bin per 10 bags to be collected. For apartment schemes, there must be sufficient storage space for a minimum of 1 no. 1,100 Litre bin per fifteen people availing of the communal apartment collection scheme.

d. Sufficient space must be provided to accommodate the collection of dry recyclable and organic kitchen waste/ garden waste. Provision should also be made for the collection of glass (separated by colour) in Bottle Banks within the curtilage of the Development. The Total footprint of each of these banks is 4 metres by 2 metres wide. The location must be external, with the sufficient access and clearance for servicing using a crane.

e. The bin storage areas must not be on the public street and should not be visible or accessible to the general public.

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cóipeanna
An Roinn Pleanála agus Forbairtha, Clárlann / Cóipeanna
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2675
Decision T: (01) 222 2258 / F: (01) 222 2271

Date 16-Aug-2010

f. The bin storage areas should be designed so that each bin within the storage area is accessible to occupants / employees of the development (including people with disabilities).

g. Suitable wastewater drainage points should be installed in the bin storage area for cleaning and disinfecting purposes.

h. A waste collection contract must be signed with Dublin City Council or a private waste collector who is the holder of a Waste Collection Permit, prior to the commencement of the collection of waste.

i. Sufficient access and egress must be provided to enable bins to be moved easily from the storage area to an appropriate collection point on the public street nearby. The access and egress area should have no steps and have a minimal incline ramp.

Reason: In order to ensure a satisfactory standard of development.

8. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant other than those shown on the drawings hereby approved, unless authorised by a prior grant of Planning Permission.

Reason: To safeguard the amenities of surrounding occupiers and the visual amenities of the area in general.

9. Adequate provision shall be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons. Details of the developer's proposals for complying with this condition to be submitted to the Planning Authority and written agreement to be obtained before commencement of development.

Reason: In the interests of achieving a development that is accessible to all people, having regard to Development Plan Policy.

10. The following requirements of the Waterworks Division shall be complied with in the development:

• All installations, fittings and materials must be in accordance with appropriate standards and approved in advance by the Water Services Division to ensure their compatibility with Dublin's water supply system and to protect public health. In addition, full details of all internal installations (including pumps and break pressure tanks) must be provided in advance to the Water Services Division so as to ensure that they are in accordance with the requirements and standards of the Dublin City Council Waterworks Regulations 1975, Bye-Laws for the Management of Water Services and the Conservation of Drinking Water 2003 (both available on www.dublincity.ie) and other appropriate standards.

Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála
An Roinn Pleanála agus Forbairtí Clárlann / Cinntí
Oifigí na Cathrach, An Cné Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 3149 / F: (01) 222 2675
Decision T: (01) 222 2299 / F: (01) 222 2271

Date: 16-Aug-2010

- Connections to existing Dublin City Council watermains will be carried out by the City Council at the expense of the Applicant.

- Incoming direct feed pipes shall only feed storage tanks or drinking water points. All appliances and fittings, including central heating units, shall only be fed from internal storage tanks.

- The rate of draw off per hour through a service pipe shall be controlled so as not to exceed at any time one twelfth of the maximum daily requirement.

- Storage equivalent to 24hours usage (or as specified in the Dublin City Council Waterworks Regulations 1975 - whichever is the greater) shall be provided in all developments.

- Any proposals for the use of rainwater, grey water or brown water on the site shall be submitted to the Water Services Division for consideration and approval before construction commences on site. In the interests of public health and good practice, the Applicant shall comply with the requirements of the Water Services Division in this regard.

- Covers and frames in footpaths and similar areas shall be Class B standard.

- The Water Services Division should be notified at least one week before it is proposed to commence work on site.

- A booster pump(s) shall be installed in each unit of the proposed development which is greater than two storeys in height and full details of the proposed installation shall be submitted to the Water Services Division for written approval before construction commences on site. All booster pumps in excess of 10 litres/min capacity must be fed from a break cistern. The effective capacity of a break water cistern should be decided after consideration of the total water storage requirements and its location within the building but should not be less than 15 minutes pump output.

- It is the responsibility of the Developer and future Complex Management to ensure the satisfactory quality of the potable water stored in the break tank(s). In this regard, a suitable maintenance schedule must be put in place to avoid any contamination, misuse or undue consumption of all water stored for domestic use.

- To achieve a satisfactory standard of water supply for consumption an approved independent supply pipe shall be laid by the Developer within the proposed development to the property boundary at an agreed location. It is the responsibility of the Developer to obtain all necessary permissions and approvals to lay this pipe. Copies of these permissions plus details of the proposed pipe shall be forwarded to, and approved by, the Water Services Division before construction commences on site. Pipes shall be laid in accordance with the Dublin City Council Water Services Division's Code of Practice for the Laying of Distribution Watermains (available on www.dublincity.ie). On confirmation that the pipe has been laid to Dublin City Council's specifications it shall be connected to the public water supply system by Dublin City Council at the Developer's expense.

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cláraí Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cláraí
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry: T: (01) 222 3149 / F: (01) 222 2076
Decision: T: (01) 222 2888 / F: (01) 222 2271

Date 16-Aug-2010

• The internal plumbing layout of a development shall facilitate the installation by the Developer of approved individual meters to each individual business within the development. An approval for the main connection into a development will not be issued until this requirement has been met.

• The proposed development requires the submission to the Water Services Division of an approved Water Management and Conservation plan before construction commences on site. This plan will include details of the Applicant's proposals in relation to water mains and all internal plumbing and fittings. It shall also outline how water wastage, leaks or excessive consumption may be prevented or identified and remedied. All such works to be at the expense of the Applicant.

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

11. The following requirements of the Roads & Traffic Department shall be complied with in the development.

• Prior to occupation of the development the applicant shall submit a Mobility Management Plan for the development. In this regard the applicant shall contact the Mobility Manager, Roads and Traffic Department within 6 months of final grant of permission.

• Cycle parking provided shall be secure, conveniently located, sheltered and well lit. Shower and changing facilities shall also be provided as part of the development.

• All doors provided shall be inward opening only and shall not open onto the public footpath.

• All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer.

• The developer shall be obliged to comply with the requirements set out in the Code of Practice.

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

12. The following requirements of the Drainage Division shall be complied with in the development.

- The developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads).

- The outfall manholes from this development must be constructed in accordance with the Code of Practice for Development Works Drainage.

Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinnti Pleanála
An Roinn Fheandála agus Forbartha, Clárlann / Cinnti
Oifigí na Cathrach, An Che Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2675
Decision T: (01) 222 2288 / F: (01) 222 2271

Date 16-Aug-2010

- The use of undersink food macerators/food grinders for processing and discharging waste food to the drainage system is not acceptable.

- Dublin City Council's Drainage records are indicative and must be verified on site. The Developer must carry out a comprehensive site survey to establish all drainage services that may be on the site. If drainage infrastructure is found that is not on Dublin City Council's records the Developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed 'as-constructed' drainage layouts for all diversions, extensions and abandonment of the public drainage network, in both hard and soft copy in an approved format, are to be submitted by the Developer to the Drainage Division for written approval. See section 5 of the above-mentioned Code of Practice for more details.

- All public manholes must be opened and closed by Dublin City Council staff.

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

- Any connection from this development to the public sewer network will be at the developer's expense, and will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled their requirements including the payment of any financial levies. A drainage licence will be required from the Drainage Division. Developers are not permitted to connect to the public sewerage system without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense.

- The drainage for the proposed development shall be designed on a completely separate system with a combined final connection discharging into the public combined sewer system.

- The developer shall limit surface water discharge from site in accordance with the requirements of the Drainage Division as set out in the Greater Dublin Strategic Drainage Study's, 'Technical Document on New Development'.

- A Class II Light Liquid Separator, in accordance with the latest European Standards, shall be installed at suitable location on the private drainage system before discharging to the City Council's foul sewer or combined system.

- A grease trap shall be installed on the waste outlet from sinks of all commercial kitchens subject to Dublin City Council requirements. Please contact the Water Pollution Control Section of Dublin City Council.

- The developer shall ensure that an appropriate flood risk impact assessment is carried out for the proposed development.

- It is not permissible to locate attenuation tanks under the pavement and/or carriageway of the proposed development.

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárúchán / Cinntí Pleanála
An Roinn Pleanála agus Forbartha, Clárúchán / Cinntí
Oifigí na Cathrach, Ar Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2678
Decision T: (01) 222 3288 / F: (01) 222 2271

Date 10-Aug-2010

- All pipes to be constructed in the pavement and carriageway of the proposed development must be of a minimum diameter of 225mm and be made of concrete or clayware.

- All surface water discharge from this development must be attenuated to two litres per second per hectare.

- Demolition: The Developer shall take care to protect all public sewers that may be affected by those demolition works. In particular no debris should be allowed to enter the public sewerage system. Where possible the Developer must disconnect and cap all drainage links from the private site in order to prevent any demolition debris entering the public network.

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

10. The developer shall comply with the following archaeological requirements:

(i) No construction or site preparation work other than demolition work, may be carried out on the site until all archaeological requirements of the Planning Authority are complied with.

(ii) The project shall have an archaeological assessment of the site of all proposed building carried out as soon as possible and before any construction work commences. The assessment shall be prepared by a qualified archaeologist and shall address the following issues.

a) The archaeological and historical background of the site.

b) The nature, extent and location of archaeological material on site.

c) The impact of the proposed development on such archaeological material.

Where archaeological material is shown to be present, a detailed impact statement shall be prepared by the archaeologist which will include specific information on the location, form, size and level (corrected to Ordnance Datum) of all foundation structures, ground beams, floor slabs, trenches for services, drains etc. The assessment shall be prepared on the basis of site inspection, a comprehensive desktop study and, where appropriate/feasible Geophysical survey and/or trial trenches excavated on the site by the archaeologist and or remote sensing. The trial trenches shall be excavated to the top of the archaeological deposits only. The report containing the assessment shall include adequate ground-plan and cross-sectional drawings of the site, and of the proposed development, with the location and levels (corrected to Ordnance Datum) of all trial trenches and/or bore holes clearly indicated. No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist retained by the project to carry out the assessment shall consult with the City Archaeologist in advance regarding the procedure to be adopted in the assessment.

Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinnti Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cinnti
Oifigí na Cathrach, An Chú Adhmaid, Baile Átha Cliath 8
Registry: T: (01) 222 3149 / F: (01) 222 3235
Decision T: (01) 222 3288 / F: (01) 222 2271

Date 16-Aug-2010

(iii) A written report containing the results of the archaeological assessment shall be forwarded on completion to the City Archaeologist. The City Council (in consultation with Duchas) shall determine the further archaeological resolution of the site, including if necessary, archaeological excavation or the preservation in situ of archaeological remains). Before any construction work commences, the developer shall comply in full with any further archaeological requirements (including if necessary archaeological excavation or the preservation in situ of archaeological remains). Where preservation in situ is required, this may negate the facilitation of all or part of the basement. In the event of all or part of the basement being omitted from the development, prior to any construction, the developer shall first agree the foundation layout with the City Archaeologist (in consultation with the National Monuments Service).

Reason: In the interests of preserving or preserving by record, archaeological material likely to be destroyed or damaged in the course of development.

14. Before this development commences, a financial contribution in the sum of Euro 186,128.72 shall be paid by the Applicant to Dublin City Council under Section 48 of the Planning & Development Act 2000 - 2007.

This contribution shall be payable at the Wholesale Price Index adjusted rate pertaining to the year in which implementation of this planning permission is commenced, as provided for in the Development Contribution Scheme.

Reason: Investment by Dublin City Council in Local Authority works has facilitated and will facilitate the proposed development. It is considered appropriate and reasonable that the developer should contribute to the cost of same.

15. Before this development commences a financial contribution in the sum of Euro 170,922.00 shall be paid by the applicant to Dublin City Council under Section 49 of the Planning and Development Act 2000-2007. This contribution applies to all new developments which are located in the Metro North Area, and is in addition to the contribution required in accordance with the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000 - 2007.

Reason: Investment by Dublin City Council in public infrastructure and facilities that has been provided, and will be provided for the benefit of the proposed development.

Signed on behalf of the Dublin City Council

for Assistant City Manager

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála
An Roinn Pleanála agus Forbartha, Cláraíocht / Cinntí
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2675
Decision T: (01) 222 2288 / F: (01) 222 2271

Date 16-Aug-2010

The applicant should note that development on foot of this Decision to Grant may not commence before a notification of final grant has been issued by the Planning Authority or An Bord Pleanala following consideration of an appeal.

1. Your attention is drawn to the requirements of the attached "Codes of Practice":

Schedule A:	Water Division
Schedule B:	Drainage Division
Schedule C:	Roads, Streets & Traffic Division
Schedule D:	Air Quality Monitoring and Noise Control Unit

N.B. It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes of legislation affecting the proposal, including the requirements of the Building Regulations and Waste Management Acts.

2. A person shall not be enabled solely by reason of a grant of Planning Permission to carry out any development.

3. A grant of Planning Permission does not entitle a person to construct a development that would overhang, encroach or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.

4. Any observations or submissions received by the Planning Authority in relation to this application have been noted.

NOTES:

- Appeals must be received by An Bord Pleanala within FOUR WEEKS beginning on 13-Aug-2010 . (N.B. not the date on which the decision is sent or received). This is a strict statutory time limit and the Board has no discretion to accept late appeals whether they are sent by post or otherwise. The appeal MUST BE FULLY COMPLETE in all respects - including the appropriate fee - when lodged. It is not permissible to submit any part of it at a later date, even within the time limit.

NOT Issued

Comhairle Cathrach Bhaile Átha Cliath

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárúcháin / Cinnti Pleanála
An Roinn Pleanála agus Forbartha, Clárúcháin / Cinnti
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 3149 / F: (01) 222 2675
Decision T: (01) 222 3288 / F: (01) 222 2271

Date 16-Aug-2010

- Refund of Fees submitted with a Planning Application. Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months, where the full standard fee was paid in respect of the first application, and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of the Planning Authority's decision on the second application.

- In relation to the Financial Contribution conditions, please note that this figure may be increased from January 2010 in line with the Wholesale Price Index (Building and Construction Materials).

- In relation to Compliance conditions three copies of compliance drawings will be required by the Planning Authority.

-

Planning Permission 2551/13

Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cinntí
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2675
Decision T: (01) 222 2288 / F: (01) 222 2271

Corina Hodgers, RPS Group
RPS Planning & Environment
Westpier Business Campus
Dun Laoghaire
Co. Dublin

THIS IS AN IMPORTANT LEGAL DOCUMENT AND SHOULD BE PLACED WITH YOUR TITLE DEEDS

Application No.	2551/13
Registration Date	02-May-2013
Decision Date	20-Jun-2013
Decision Order No	P1512
Date of Final Grant	31-Jul-2013
Grant Order No	P1868
Location	Canada House, 65-68, Saint Stephen's Green, Dublin 2
Proposal	We, Fieldsville Ltd. intend to apply for permission for development at this site at Canada House, 65-68 St. Stephen's Green South and Earlsfort Terrace, Dublin 2.

Planning permission was granted under Dublin City Council reg. ref. 3036/10 for the demolition of the existing 5 storey office block and construction of a new seven storey office building over two levels of basement. The proposed development involves amendments to this permission (reg. ref. 3036/10) . It is now proposed to provide a new six story office building over two levels of basement. The proposed amendments would result in a increase per floor of: ground floor 159m² , first, second third and fourth floors 97m² each and fifth floor 122m². the sixth floor (414m²) is now omitted. the overall increase in gross floor area 255m². The permitted development under Dublin City Council Reg. Ref 3036/10 as amended by this application will comprise an overall total of 6862m² gross floor area.

The proposed amendments comprise as follows; reduction in footprint of basement levels -1 and -2 by 116m² at each level; change of facade between ground and 5th storey from glazed to a combination of stone cladding and glazing relocation of pedestrian entrance to the corner of St. Stephens Green South and Earlsfort Terrace; minor reduction in set-back of 6th storey; omission of 7th storey; reduction in overall height from c. 25m to 23m increase of building footprint by omission of rear courtyard, minor changes to internal layout; 15 no. additional bicycle spaces at basement level new to provide a total of 74 no. bicycle spaces and all ancillary development on a site area of c. 0.15ha.

Ceannoifig, Oifigí na Cathrach, An Ché Adhmaid, Bhaile Átha Cliath 8, Éire
Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland
T. 01 222 2222 www.dublincity.ie

Applicant Fieldsville Ltd
Application Type Permission

NOTIFICATION OF GRANT OF PERMISSION

PERMISSION for the development described above has been granted under the Planning & Development Acts 2000 – 2011 subject to the following conditions.

Condition(s) and Reasons for Condition(s)

1. Insofar as the Planning & Development Act 2000 to 2011 and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The developer shall comply with the following requirements of the Roads and Traffic Department of Dublin City Council:

a) Prior to occupation of the development the applicant shall submit a Mobility Management Plan for the development. In this regard the applicant shall contact the Roads and Traffic Department within 6 months of final grant of permission.

b) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer.

c) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In the interest of orderly development

3. The developer shall comply with the following requirements of the Drainage Division of Dublin City Council:

• The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads).

• Any connection from this development to the public sewer network will be at the developer's expense, and will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled their requirements including the payment of any financial levies. A drainage licence will be required from the Drainage Division. Developers are not permitted to connect to the public sewerage system without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense

• The outfall manholes from this development must be constructed in accordance with the Code of Practice for Development Works – Drainage.

• The drainage for the proposed development shall be designed on a completely separate system with a combined final connection discharging into the public combined sewer system.

• All internal basement drainage must be pumped to a maximum depth of 1.5 metres below ground level

before being discharged by gravity from the site to the public foul sewer. All underground structures must be constructed to be watertight and therefore eliminate the requirement to discharge groundwater. However, discharge of groundwater may be permitted during construction subject to a license from Drainage Division Pollution Control Section.

• The development shall incorporate Sustainable Drainage Systems. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.

• All surface water discharge from this development must be attenuated to two litres per second.

• A Class II Light Liquid Separator, in accordance with the latest European Standards, shall be installed at suitable location on the private drainage system before discharging to the City Council's foul sewer or combined system.

• There shall be no pumping or discharge of groundwater or any other trade effluent to Dublin City Council sewers or waters except under and in accordance with a licence granted by Dublin City Council as required by the Local Government (Water Pollution) Acts, 1977 and 1990.

• The developer shall ensure that an appropriate flood risk impact assessment is carried out for the proposed development.

Reason: In the interest of orderly development

4. The developer shall comply with the following requirements of the City Archaeologist:

A. No construction or site preparation work may be carried out on the site until all archaeological requirements of the City Archaeologist are complied with.

B. The project shall have an archaeological assessment (and impact assessment) of the proposed development, including all temporary and enabling works, geotechnical investigations, e.g. boreholes, engineering test pits, etc., carried out for this site as soon as possible and before any site clearance/construction work commences. The assessment shall be prepared by a suitably qualified archaeologist and shall address the following issues.

i. The archaeological and historical background of the site, to include industrial heritage.

ii. A paper record (written, drawn, and photographic, as appropriate) of any historic buildings and boundary treatments, etc.

iii. The nature, extent and location of archaeological material on site by way of archaeological testing &/or monitoring of the removal of overburden.

iv. The impact of the proposed development on such archaeological material.

C. The archaeologist shall forward their Method Statement in advance of commencement to the City Archaeologist.

D. Where archaeological material is shown to be present, a detailed Impact Statement shall be prepared by the archaeologist which will include specific information on the location, form, size and level (corrected to Ordnance Datum) of all foundation structures, ground beams, floor slabs, trenches for services, drains etc. The assessment shall be prepared on the basis of a comprehensive desktop study and, where appropriate/feasible, trial trenches excavated on the site by the archaeologist and/or remote sensing. The trial trenches shall be excavated to the top of the archaeological deposits only. The report containing the assessment shall include adequate ground-plan and cross-sectional drawings of the site, and of the proposed development, with the location and levels (corrected to Ordnance Datum) of all trial trenches

Ceannoifig, Oifigí na Cathrach, An Ché Adhmaid, Bhaile Átha Cliath 8, Éire
Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland
T. 01 222 2222 www.dublincity.ie

and/or bore holes clearly indicated. A comprehensive mitigation strategy shall be prepared by the consultant archaeologist and included in the archaeological assessment report.

E. No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist retained by the project to carry out the assessment shall consult with the City Archaeologist in advance regarding the procedure to be adopted in the assessment.

F. A written and digital report (on compact disc) containing the results of the archaeological assessment shall be forwarded on completion to the City Archaeologist. The City Archaeologist (in consultation with The National Monuments Service, Department Arts Heritage and Gaeltacht, shall determine the further archaeological resolution of the site.

G. The developer shall comply in full with any further archaeological requirement, including archaeological monitoring, and if necessary archaeological excavation and/or the preservation in situ of archaeological remains, which may negate the facilitation of all, or part of any basement.

H. The developer shall make provision for archaeological excavation in the project budget and timetable.

I. Before any site works commence the developer shall agree the foundation layout with the City Archaeologist.

J. Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council), and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

5. Prior to the commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to and agreed in writing by the Planning Authority.

A panel of the proposed finishes to be placed on site to enable the planning authority adjudicate on the proposals. Any proposed render finish to be self-finish in a suitable colour and shall not require painting. Construction materials and detailing shall adhere to the principles of sustainability and energy efficiency and high maintenance detailing shall be avoided.

Reason: In the interests of orderly development and the visual amenities of the area.

6. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads Streets & Traffic Department and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

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

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

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

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

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

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

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

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

10. .Notwithstanding the provisions of the Planning & Development Regulations 2001 - 2010, no advertisement signs (including any signs installed to be visible through the windows); advertisement structures, banners, canopies, flags, or other projecting element shall be displayed or erected on the building or within the curtilage, or attached to the glazing without the prior grant of planning permission.

Reason: In the interests of visual amenity.

11. Prior to the commencement of Development, a Project Construction and Demolition Waste Management Plan shall be submitted to and agreed to writing by the Planning Authority.

Reason: In the interests of the protection and conservation of the environment, having regard to Circular WPR 07/06 - Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects - published by the DoEHLG, July 2006 and also Dublin City Council Waste Management Guidelines.

12. The application shall comply with the following waste management requirements in the planning process:

(a) The requirements set out in the separate Bye-Laws for the Collection, Storage and Presentation of both Household and Commercial waste and certain related waste management matters must be adhered to and, in particular, the requirements in the Bye-Laws to segregate waste into separate fractions to facilitate the collection dry recyclable, organic kitchen/garden waste and residual waste.

(b) Bins that comply with IS EN 840 1997 must be used. Ideally, 1,100 Litre bins should be used with dimension of 1.3 metres long by 1.0 metres wide by 1.3 metres high and with a load capacity of approximately 0.5 tonnes. Other types of receptacles may only be used with the written consent of Dublin City Council.

(c) For commercial developments there must be enough storage space for a minimum of 1 no. 1,100 litre

Ceannoifig, Oifigí na Cathrach, An Ché Adhmaid, Bhaile Átha Cliath 8, Éire
Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland
T. 01 222 2222 www.dublincity.ie

bin per 10 bags to be collected. For apartment schemes, these must be sufficient storage space for a minimum of 1 no. 1,100 litre bin per fifteen people availing of the communal apartment collection scheme.

(d) Sufficient space must be provided to accommodate the collection of dry recyclable and organic kitchen waste/ garden waste. Provision should also be made for the collection of glass (separated by colour) in Bottle Banks within the curtilage of the Development. The Total footprint of each of these banks is 4 metres by 2 metres wide. The location must be external, with the sufficient access and clearance for servicing using a crane.

(e) The bin storage areas must not be on the public street and should not be visible or accessible to the general public.

(f) The bin storage areas should be designed so that each bin within the storage area is accessible to occupants/employees of the development (including people with disabilities).

(g) Suitable wastewater drainage points should be installed in the bin storage area for cleaning and disinfecting purposes.

(h) A waste collection contract must be signed with Dublin City Council or a private waste collector who is the holder of a Waste Collection Permit, prior to the commencement of the collection of waste.

(i) Sufficient access and egress must be provided to enable bins to be moved easily from the storage area to an appropriate collection point on the public street nearby. The access and egress area should have no steps and have a minimal incline ramp.

Reason: In order to ensure a satisfactory standard of development.

13. Adequate provision shall be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons. Details of the developer's proposals for complying with this condition to be submitted to the Planning Authority and written agreement to be obtained before commencement of development.

Reason: In the interests of achieving a development that is accessible to all people, having regard to Development Plan Policy.

14. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant other than those shown on the drawings hereby approved, unless authorised by a prior grant of Planning Permission.

Reason: To safeguard the amenities of surrounding occupiers and the visual amenities of the area in general.

15. No roller shutters, gates or other barrier systems shall be erected at ground floor level without a prior grant of planning permission.

Reason: In the interest of visual amenity.

16. The expiry date of this permission shall be five years from the date of the Final Grant of the original Planning Permission, Planning Register Ref. No.3036/10which was granted on the 23/09/2010.

Reason: To clarify the scope of the Permission hereby granted.

17. The terms and conditions of the permission for the original development, which was issued under Reg. Ref. 3036/10 shall be fully complied with, except where modified by this permission.

Reason: To provide for an acceptable standard of development.

18. All installations, fittings and materials must be in accordance with appropriate standards and approved in advance by the Water Services Division to ensure their compatibility with Dublin's water supply system and to protect public health. In addition, full details of all internal installations (including pumps and break pressure tanks) must be provided in advance to the Water Services Division so as to ensure that they are in accordance with the requirements and standards of the Dublin City Council Waterworks Regulations 1975, Bye-Laws for the Management of Water Services and the Conservation of Drinking Water 2003 (both available on www.dublincity.ie) and other appropriate standards.

Connections to existing Dublin City Council watermains will be carried out by the City Council at the expense of the Applicant.

Incoming direct feed pipes shall only feed storage tanks or drinking water points. All appliances and fittings, including central heating units, shall only be fed from internal storage tanks.

The rate of draw off per hour through a service pipe shall be controlled so as not to exceed at any time one twelfth of the maximum daily requirement.

Storage equivalent to 24hours usage (or as specified in the Dublin City Council Waterworks Regulations 1975 – whichever is the greater) shall be provided in all developments.
Any proposals for the use of rainwater, grey water or brown water on the site shall be submitted to the Water Services Division for consideration and approval before construction commences on site. In the interests of public health and good practice, the Applicant shall comply with the requirements of the Water Services Division in this regard.

Covers and frames in footpaths and similar areas shall be Class B standard.
The Water Services Division should be notified at least one week before it is proposed to commence work on site.

Reason: To ensure an adequate standard of development.

19. Before this development commences, a financial contribution in the sum of Euro 157,973.22 shall be paid by the Applicant to Dublin City Council under Section 48 of the Planning and Development Acts 2000-2011.

The contribution shall be payable prior to commencement of development or as otherwise agreed by the Council. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the Dublin City Council Development Contribution Scheme 2013-2015.

Reason: Investment by Dublin City Council in public infrastructure and facilities benefiting development in the area, and that is provided, or that is intended will be provided, by or on behalf of the Council. It is considered appropriate and reasonable that the developer should contribute to the cost of same.

20. Before this development commences a financial contribution in the sum of Euro 137,240.00 shall be paid by the applicant to Dublin City Council under Section 49 of the Planning and Development Act 2000 - 2011. This contribution applies to all new developments which are located in the Metro North Area, and is in addition to the contribution required in accordance with the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000 - 2011.

Ceannoifig, Oifigí na Cathrach, An Ché Adhmaid, Bhaile Átha Cliath 8, Éire
Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland
T. 01 222 2222 www.dublincity.ie

Reason: Investment by Dublin City Council in public infrastructure and facilities that has been provided, and will be provided for the benefit of the proposed development.

Signed on behalf of the Dublin City Council Brendan Johnston

Brendan Johnston
for Assistant City Manager

Date 31-7-2013

N.B. IT SHOULD BE CLEARLY UNDERSTOOD THAT THE GRANTING OF PLANNING PERMISSION DOES NOT RELIEVE THE DEVELOPER OF THE RESPONSIBILITY OF COMPLYING WITH ANY REQUIREMENTS UNDER OTHER CODES OF LEGISLATION AFFECTING THE PROPOSAL AND THAT A PERSON SHALL NOT BE ENTITLED SOLELY BY REASON OF A PLANNING PERMISSION TO CARRY OUT ANY DEVELOPMENT.

Form of Commencement Notice

(Notice to a Building Control Authority pursuant to Part II of the Building Control Regulations 1997-2009)

Dublin City Council

Building Control Division

Floor 2, Block 4, Civics Offices, Wood Quay, Dublin 8

Please complete both pages (see overleaf)

OFFICIAL USE ONLY

Date Received _____

Register Ref. _____

Entered on _____

Entered by _____

Fee received _____

1. I, the undersigned, hereby give notice/give notice on behalf of the person(s) named below (at question 4) to the above Building Control Authority (in accordance with Part II of the Building Control Regulation 1997 to 2009) that I/the persons named below *(at question 4) intend to carry out the development as described below.

   *(*Delete whichever is inappropriate)*

Signature: _____ Date: _____

Name of person(s): _____

Commencement date (of works): _____ Fee Payable: € _____

2a. Project Particulars: (in addition, for Residential Developments, please complete Section 2b below)

Description of Proposed Development:

Planning Permission No.: _____ Date Granted: _____ Date of Expiry: _____

Fire Safety Certificate No. (*if applicable*): _____ Disability Access Certificate No. (*if applicable*): _____

Location of development:

2b. Residential Development information

Total No. of dwelling units (all phases*): _____ Total No. of Phases*: _____

Phases for this commencement notice: _____ No. of units for this phase/commencement notice**: _____

Commencement date for this phase: _____ (Proposed) end date for this phase: _____

*Where applicable, i.e. phasing not relevant for single houses. **Include single house figure here also.

3. Builders Please insert the name below (Contact details are to be completed overleaf)

Name: _____

4. Building Owner Details (***if different from section 1 above***):

Please insert the name below (Contact details are to be completed overleaf)

Name: _____

Contact Details Page

1. Contact details for the person who signed the form:

Name: Tel: Fax:

Address:

Email:

3. Builder Contact Details:

Name: Tel: Fax:

Address:

Email:

4. Building Owner Contact Details:

Name: Tel: Fax:

Address:

Email:

5. Building Designer Contact Details:

Name: Tel: Fax:

Address:

Email:

6. Information: Person(s) from whom such plans, documents and any other information, as are necessary to show that the building or works will, if built in accordance with design, comply with the requirements of the Building Regulations, may be obtained.

Name: Tel: Fax:

Address:

Email:

7. Drainage System Foundations: Person(s) from whom notifications of the pouring of any foundations and/or the covering up of any drainage systems may be obtained.

Name: Tel: Fax:

Address:

Email:

Planning Permission 2062/21

pplication details

52/21

Summary

Application reference 2062/21

Application type Permission

Proposed development

PROTECTED STRUCTURE: Planning permission with a life of 7 years, at a site (c.0.7 ha). The site is generally bounded by Nos. 92-100 St. Stephen's Green (Protected Structures) and small apartment block to the rear of No. 95 St. Stephen's Green to the north and east; Harcourt Street to the west; Nos. 87-91 Harcourt Street (Protected Structures) and buildings on Clonmel Street to the south; and Iveagh Gardens (Protected Structure) to the south east. Proposed development comprises office redevelopment (c. 39,932 sqm total), including: a new 4 to 8 storey office building (c.32,101 sqm gfa office space) over double basement (c.6,347 sqm) with setbacks at 4th, 5th, and 6th floor levels; insert terraces at 1st, 2nd & 3rd floor levels to St. Stephen's Green and Harcourt Street; and roof terraces at 4th, 5th, 6th and 7th floor levels; 1 no retail/cafe/restaurant unit (c.465 sqm gfa); and all associated and ancillary site works, hard and soft landscaping, including: Demolition of existing 5 to 7-storey office complex, including basement (c. 17,550 sqm gfa); vehicular and pedestrian access to site and basement car park at existing site entrances at St. Stephen's Green South and Harcourt Street; new double basement to accommodate 70 no. car parking spaces (of which 4 no. disabled spaces and 35 no. with EV points), 600 no. bicycle spaces, 25 no. motorbike spaces, storage, plant and office welfare facilities; 20 no. surface level visitor bicycle parking spaces; planting and hard landscaping of circulation and amenity spaces at lower ground to 7th floor levels; ancillary plant and stair/lift core at roof level; ESB sub station; 6 no. 300mm microwave link dishes in total, on a 3m steel pole support structure together with associated equipment on the rooftop of Block A; construction management measures at the interface of the proposed works and protected structures, including no. 100 St. Stephens Green and No. 91 Harcourt Street.

Location

Stokes Place, St. Stephen's Green South and Harcourt Street, Dublin 2

Applicant KW Investments Funds IC

Registered date 20 Aug 2021

Last day for observations 23 Feb 2021

Decision date 16 Sep 2021

Decision

GRANT PERMISSION

Final grant date 20 Jan 2023

Appeal notify date 13 Oct 2021

ABP Reference ABP-311618-21

Appeal type Written Evidence

Appeal decision GRANT PERMISSION

Appeal decision date 20 Jan 2023

Application status Decided

Status description

This application was decided on 16 Sep 2021

Agent name (company)

Stephen Little & Associates, Chartered Town Planners & Development Consultants

Eircode

Extension date

Decision expiry date 23 Mar 2030

Documents

Click here to view the documents related to this application in a new page (http://webapps.dublincity.ie/AnitelM.WebSearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&folder1_ref=2062/21)

Conditions

GRANT PERMISSION

16 Sep 2021

Type	Description	Complied	Complied date	Order
Condition	3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Reason: In the interest of public health.			3
Condition	8. The developer, in consultation with Transport Infrastructure Ireland, shall ensure that the surrounding LUAS rail infrastructure is suitably protected during the construction and operational phases of the development. Detailed plans and proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: To protect key transport infrastructure and ensure a satisfactory standard of development.			8
Condition	9. (a) Any alterations to the public road or footpath shall be in accordance with the requirements of the planning authority and where required, all repairs to the public road and services shall be carried out to the satisfaction of the planning authority at the developer's expense. (b) Proposals for the upgrade of the existing pedestrian crossing on Saint Stephen's Green South to a toucan crossing shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Reason: In the interests of clarity, public safety and amenity.			9
Condition	12. No additional development, including lift motor enclosures, air handling equipment, storage tanks, ducts or external plant, or telecommunication antennas, shall be erected at roof level other than those shown on the plans and particulars lodged with the application. All equipment such as extraction ventilation systems and refrigerator condenser units shall be insulated and positioned so as not to cause noise, odour or nuisance at sensitive locations. Reason: In the interests of visual and residential amenities.			12
Condition	14. A minimum of 20% of the proposed car parking spaces shall be provided with electrical connection points, to allow for functional electric vehicle charging. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of sustainable transport.			14
Condition	1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 20th day of August, 2021 and by the further plans and particulars received by An Bord Pleanála on the 11th day of November 2021, 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.			1
Condition	2. Details, including samples of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity.			2
Condition	4. Prior to commencement of development, the developer shall enter into water and wastewater connection agreement(s) with Irish Water. Reason: In the interest of public health.			4
Condition	5. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site and adjoining lands under the control of the applicant unless authorised by a further grant of planning permission. Reason: To protect the visual amenities of the area.			5
Condition	6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances subject to the prior written agreement of the planning authority. Reason: In the interest of residential amenities of surrounding properties and in the interest of clarity.			6

Conditions

GRANT PERMISSION

16 Sep 2021

Type	Description	Complied	Complied date	Order
Condition	7. The construction of the development shall be managed in accordance with a Construction 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) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse, (b) location of areas for construction site offices and staff facilities, (c) details of site security fencing and hoardings, (d) details of on-site car parking facilities for site workers during the course of construction, (e) 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, (f) measures to obviate queuing of construction traffic on the adjoining road network, (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network, (h) 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 development works, (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels, (j) 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, (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority. Reason: In the interests of public safety and residential amenity.			7
Condition	10. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated. Reason: In the interest of sustainable waste management.			10
Condition	11. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan. Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.			11
Condition	13. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which 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 development, (b) employ a suitably qualified archaeologist prior to the commencement of development. The archaeologist shall under licence to the National Monuments Service, assess the site and monitor all site development works. The assessment shall address the following issues: (i) the archaeological and historical background of the site, (ii) the nature and location of archaeological material on the site established through archaeological testing, and (iii) the impact of the proposed development on such archaeological material. A report, containing the results of the assessment, shall be submitted to the planning authority and arising from this assessment, the developer shall agree in writing with the planning authority, in consultation with the National Monuments Service, details regarding any further archaeological requirements (including if necessary, any necessary archaeological monitoring and/or excavation/s to be programmed and funded by the developer prior to commencement of construction works). 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 archaeological remains that may exist within the site.			13
Condition	15. The developer shall submit to, and agree in writing with, the planning authority, a finalised Mobility Management Plan within six months of the occupation of the development. Reason: In the interest of sustainable transport.			15
Condition	16. 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 of roads, footpaths, watermains, drains, 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 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 such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. Reason: To ensure the satisfactory completion of the development.			16
Condition	17. A development contribution in the amount of € shall be paid to the planning authority in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at time of payment or will be increased if prior to payment an indexation increase is applied to the current Development Contribution Scheme or if a new Section 48 Development Contribution Scheme is made by the City Council the amount of the contribution payable will be adjusted accordingly. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission			17
Condition	18. The developer shall pay to the planning authority a financial contribution in respect of the Luas Cross City (St. Stephen's Green to Broombridge Line), in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.			18

Type	Description	Complied	Complied date	Order
Condition	19. The period during which the development hereby permitted may be carried out, shall be seven years from the date of this Order. Reason: Having regard to the nature and scale of the development, involving the replacement of a significant existing development, the Board considers it appropriate to specify a period of validity of this permission in excess of five years.			19

Dates

Registered 20 Aug 2021

Last day for observations 23 Feb 2021

Decided 16 Sep 2021

Appeal decided 20 Jan 2023

Appeal notify date 13 Oct 2021

Permission expires 23 Mar 2030

Permission extended

Further info

Further info type	Requested date	Received date
Additional Information	16 Mar 2021	20 Aug 2021

Dates

Registered 20 Aug 2021

Last day for observations 23 Feb 2021

Decided 16 Sep 2021

Appeal decided 20 Jan 2023

Appeal notify date 13 Oct 2021

Permission expires 23 Mar 2030

Permission extended

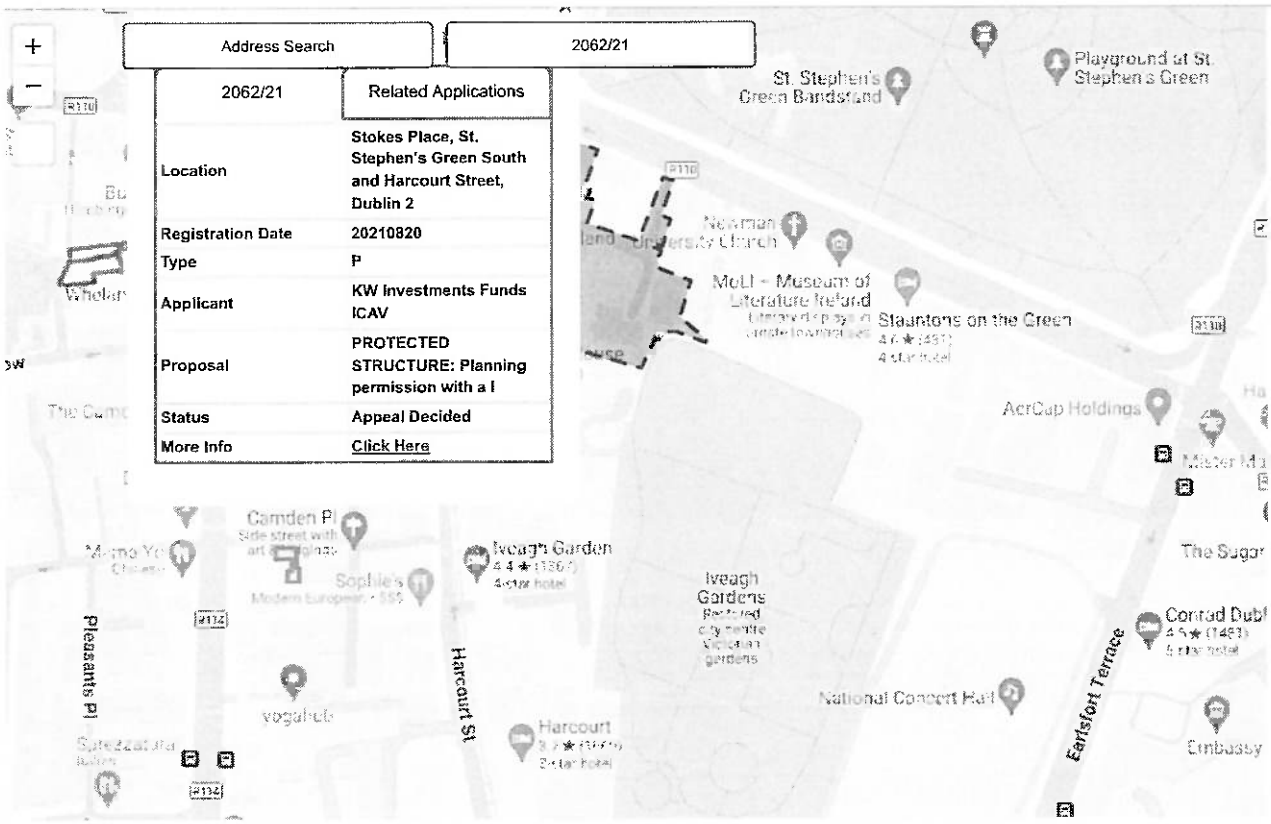
Further info

Further info type	Requested date	Received date
Additional Information	16 Mar 2021	20 Aug 2021

Map

Comhairle Cathrach
Baile Átha Cliath
Dublin City Council

Welcome to Dublin City Planning



1:2,849