

PLANNING REPORT & STATEMENT OF CONSISTENCY

APPLICATION FOR PLANNING PERMISSION AND RETENTION PERMISSION FOR A LARGE SCALE RESIDENTIAL DEVELOPMENT (LRD) COMPRISING AN AMENDMENT TO A PERMITTED STRATEGIC HOUSING DEVELOPMENT (SHD) GRANTED UNDER SHD REF. ABP-310299-21



PREPARED BY:

TOM PHILLIPS + ASSOCIATES
80 Harcourt Street
Dublin 2
D02 F449

PREPARED FOR:

ROYALTON DEVELOPMENTS DUBLIN 4 LTD
22 The View, Marina Village,
Malahide
Dublin
K36 CX99

SEPTEMBER 2024

TOWN PLANNING CONSULTANTS

Table of Contents

1.0	INTRODUCTION	4
1.1	Legislative Context for Proposed Alterations to a SHD Permission	5
1.2	Project Team.....	5
2.0	SITE LOCATION & CONTEXT	7
2.1	Urban Context: Well-located Site Formerly a Busy Commercial Enterprise	7
2.2	Site is Located within a Rapidly Evolving Urban Context and Future Growth Area	8
2.3	Accessible Site: Existing and Future Transport Services.....	8
3.0	PRE-APPLICATION CONSULTATION.....	9
3.1	Section 247 Meeting.....	9
4.0	OVERVIEW OF THE PROPOSED AMENDMENTS	10
4.1	Description of the Proposed Development (as per the Statutory Notices)	10
4.2	SHD Scheme Parent Permission, Granted September 2021 – ABP Ref. 310299-21	10
4.3	Overview of the Proposed Amendments	11
4.3.1	Construction of a Pedestrian/Cyclist Stairs to Basement Level segregated from the Vehicular Ramp.....	12
4.3.2	Additional Stair Core from Basement to Ground Level to the Rear of the Building, with Associated Alterations to Elevations and a Consequent Reduction to Community Amenity Space 13	
4.3.3	Relocation of Waste Collection Point.....	13
4.3.4	Alteration to Design of Stair Cores at Front of Structure.....	13
4.3.5	Basement Internal Layout and Car Parking	13
4.3.6	Attenuation Tank.....	14
4.3.7	PV Panel Arrangement at Roof Level	14
4.3.8	Repositioning of Demountable Flood Barriers.....	14
4.3.9	Amendment to Landscaping	14
4.3.10	Reconfiguration of Cycle Parking – Basement and Surface Level.....	14
4.4	Access Ramp Alterations	15
4.5	Other Works	15
4.5.1	Works Required to Facilitate Fire tender and Waste access	15
4.5.2	Road Markings.....	16
4.6	Environmental Impact Assessment Screening	16
4.7	Appropriate Assessment	16
5.0	PLANNING POLICY CONTEXT AND RELATED CONSIDERATIONS	17
5.1	Local Planning Policy – <i>Dublin City Development Plan 2022-2028</i>	17
5.1.1	Land Use Zoning – Sustainable Residential Neighbourhood	18
5.1.2	Urban Design.....	18



5.1.3	Climate Action & Sustainable Development	18
5.1.4	Sustainable Movement and Transport.....	19
5.1.5	Sustainable Environmental Infrastructure and Flod Risk.....	20
6.0	DOCUMENTS SUBMITTED AS PART OF THIS APPLICATION	21
6.1	Planning Fee	21
6.2	Statutory Notices – Newspaper and Site Notice	21
6.3	Planning Application Forms.....	21
6.4	Reports	21
6.5	Drawings	22
6.6	Environmental Impact Assessment Screening	22
6.7	Appropriate Assessment	22
7.0	CONCLUSION.....	24

1.0 INTRODUCTION

Royalton Developments Dublin 4 Ltd.¹ have retained Tom Phillips + Associates, Town Planning Consultants², and a multidisciplinary team to submit this Large-Scale Residential Development (LRD) amendment planning application comprising proposed amendments to a previously permitted Strategic Housing Development (An Bord Pleanála Ref. ABP-310299-21) located at Beach Road, Dublin 4 (Eircodes: D04 F2K8 and D04 P6P3).

In summary, planning permission was granted by An Bord Pleanála on 6th September 2021 for a Strategic Housing Development (SHD) comprising the demolition of the then-existing structures and the construction of a 6-storey apartment building (with set-backs at Third, Fourth and Fifth Floor Levels) accommodating 112 No. apartments (56 No. 1-bed and 56 No. 2-bed units) and 297 sq m communal space (primarily comprising a gym, lounge, work space, bookable room, office and parcel store) over a single basement level accommodating car, cycle and motorbike parking together with ancillary areas. Since permission was granted, Royalton Developments Dublin 4 Ltd. has acquired the subject site and construction is actively underway.

The proposed amendments in this application have been made to the scheme in the interests of complying with the Building Regulations (1997 as amended), fire safety and disability access certificate requirements. In addition, improved building energy performance under NZEB. The proposed alterations are minor in nature and in our opinion will result in a development that is substantially the same as the permitted development.

Importantly the proposal provides for no change to the number or mix of residential units. There is a slight reduction in area of the communal facilities provided at Ground Floor Level, due to the introduction of an additional escape stairs from Basement Level required due to Fire Safety Certification considerations. While this is unfortunate, we note the proposed development is not a BTR scheme and thus there is no formal requirement to provide communal facilities. Notwithstanding this the scheme will still ensure a generous provision of communal facilities. In addition, to facilitate this, the car parking provision is reduced from 79 no. spaces to 70 spaces, but cycle parking facilities on site has been improved. We note that the site is located in easy cycling distance of a number of employment centres and in proximity to public transport connections. In addition, minor changes are proposed at roof level, including the reorganisation of green roof and PV provision, as well as a reorganisation of the basement arrangement with a minor increase in floor area proposed.

Given that the proposals were deemed to be not substantially different to the permitted development by Dublin City Council under the s247 consultation, this Planning Statement and Statement of Consistency will focus only on the amendments to the proposal and any relevant policy changes since the previous decision was issued.

¹ 22 The View, Marina Village, Malahide, Dublin, K36 CX99.

² 80 Harcourt Street, Dublin 2, D02 F449.

1.1 Legislative Context for Proposed Alterations to a SHD Permission

The Planning and Development (Amendment)(Large-scale Residential Development) Act 2021 replaced the Strategic Housing Development (SHD) process in December 2021. Under Section 34(3)(c), applications to amend permitted SHD applications are made directly to the Local Authority.

From the outset, we highlight that under Section 34(3C)³ of the *Planning and Development Act 2000*, as amended, the Planning Authority is limited to evaluating only the amendments proposed under the subject application, rather than the entire consented SHD scheme as a whole.

Section 34(3C) of the Act states:

“(3C) In determining an application for permission that relates to a development in respect of a part of which permission has previously been granted—

(a) under section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016, or

(b) on foot of an application in accordance with section 32A,

the planning authority concerned shall, notwithstanding section 34(2)(a), be restricted in its determination of the application, other than in respect of any assessment of the effects of the proposed development on the environment, to considering the modifications proposed by the applicant to the previously permitted development and for the purposes of determining such an application the reference in subsection (6) to ‘the development concerned’ shall be read as a reference to ‘the modifications to the previously permitted development’. [Our emphasis.]

Therefore, based on the above, current planning policies, objectives, and development management standards should not be applied retroactively to the already consented SHD scheme, which already holds planning permission. Instead, only the proposed amendments should be assessed against the current policy context, without reassessing the entire scheme.

1.2 Project Team

Royalton Developments Dublin 4 Ltd has retained Tom Phillips + Associates to prepare this planning application, along with a multidisciplinary team:

- PLUS Architecture
- PUNCH Consulting Engineers
- Axiseng Consulting Engineers
- Openfield Ecological Services

This *Planning Report* outlines the background to, and substance of, the proposed development. It further includes a list of the various statutory and strategic policy documents

³ as inserted by the Large-Scale Residential Development Act 2021.



considered and demonstrates the extent of consistency with the pertinent *Dublin City Development Plan 2022-2028* and the relevant Section 28 National Guidelines, as required. This Report should be read in conjunction with the specialist reports which provide detailed site-specific assessments.

2.0 SITE LOCATION & CONTEXT

2.1 Urban Context: Well-located Site Formerly a Busy Commercial Enterprise

The site measures c. 0.385 ha. It is bounded to the north by residential buildings on Church Avenue; to the west by residential development and St Matthew's National School; to the south by houses on Cranfield Place; and to the east by Beach Road.

Prior to redevelopment, the site accommodated two distinct uses: a Maxol petrol filling station with a Mace shop, car wash and other ancillary uses, at the southern end; and a vacant vehicle showroom/service garage (former Michael Grant Motors) at its northern end. There were two vehicular entrance points on Beach Road to the east, and one gated entrance onto Church Avenue to the north. As noted above, the site is actively under construction.

The site is well located in proximity to the high-density employment areas in the north and south docks and Ballsbridge. It is located in proximity to a range of established services and amenities including neighbourhood centres located at Irishtown, Ringsend and Sandymount (approximately 220m, 350m to the north, and 500m to the south, respectively), schools, a wide range of sports facilities and open spaces. It is also close to the ongoing development of Poolbeg West SDZ, which will enhance local services and facilities.

Furthermore, the site benefits from public transport connections, including the Landsdowne DART Station (c. 900 m to the southwest) and bus connections.

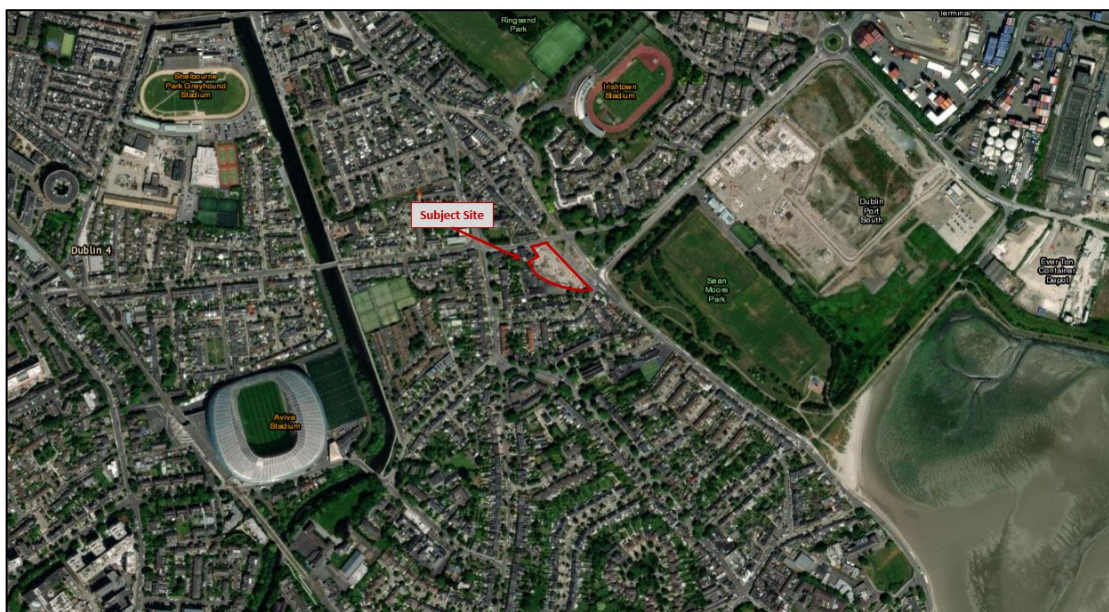


Figure 2.1: Subject site and wider environs. (Source ArcGIS, 2024.)

2.2 Site is Located within a Rapidly Evolving Urban Context and Future Growth Area

The subject site is located within a part of the City that is experiencing significant transformation as the emphasis on sustainable compact urban development requires the replacement of extensive, low-density, inappropriately located development with more intensive development, particularly centrally located, serviced residential lands. The south docklands area (c. 700 m to the northwest of the site) has been subject to extensive redevelopment during the last 30 years, becoming high density, high quality mixed-use area. That area is included in the *North Lotts and Grand Canal Docks Strategic Development Zone* (SDZ) Planning Scheme, and subject to the 'fast-track' planning system. Parts of Ballsbridge (also c. 700m from the site) particularly the area located between Lansdowne Road and Serpentine Road have been developed to accommodate large offices and residential developments.

The Poolbeg West SDZ has come into effect and lands in Poolbeg (c. 300 m to the east of the site) are currently under development. That SDZ area measures c. 34 hectares and is deemed to be of economic and social importance to the State.

The *Dublin City Development Plan, 2022-2028* designates the lands directly to the north and east of the subject site as the Strategic Development and Regeneration Area 6 Docklands (SDZ and Wider Area), (SDRA 6), which encompasses the former Dublin Docklands Development Authority area. The Development Plan specifies development guidelines for each of the SDRA areas. The wider area is also the location of nationally important infrastructure, including the Dublin Waste to Energy Plant and the upgraded Ringsend Wastewater Treatment Plant. Significant investment has also been made in more localised infrastructure, particularly flood defences.

2.3 Accessible Site: Existing and Future Transport Services

Due to the subject site's proximity to the city centre, it is very accessible by walking or cycling to high density employment areas. Furthermore, the site is within 10 minutes' walking distance of the Lansdowne Road Dart Station, c. 900m to the southwest of the subject site. Local Bus Routes include the S2 Orbital Route, which links Poolbeg West to Heuston Station, via Sandymount, Ballsbridge, Ranelagh, Rathmines, Crumlin, including The Coombe and St James Hospitals, the Dart and Red and Green Luas Lines. This bus runs c. every 15 minutes. The C1 and C2 routes, at 15-minute intervals, which links Sandymount to Adamstown to the west via the Quays. The 47 which links Pearse Street to Stepside.

Further connectivity improvements may emerge in future, the *Development Plan* notes the Luas Red Line extension is expected to serve the Poolbeg West area within walking distance of the site which will further increase the connectivity of the subject site to the City Centre and beyond.

Critically, however, the subject site is in easy walking and cycling distance of much of the city centre and employment zones such as Ballsbridge.



3.0 PRE-APPLICATION CONSULTATION

3.1 Section 247 Meeting

A Section 247 Pre-Planning Meeting (LRD Stage 1 Meeting) with Dublin City Council took place via Microsoft Teams on 21st June 2024, which discussed whether the nature of the proposed amendments requires entering into more detailed pre-planning consultation under Section 247(7); also known as LRD Stage 2 Consultation. In attendance from Dublin City Council was Garrett Hughes (Senior Executive Planner), Brianan Nolan (Senior Executive Planner) and Leah McGuinness (Executive Planner), and presenting the proposed development was Michael Gallagher (Royalton Development (the Prospective Applicant), Des Twomey (PLUS Architecture), Mark Richardson (PUNCH Consulting Engineers), and Julie Costello (Tom Phillips + Associates).

In a response dated 24th September 2024, DCC confirmed in writing that in accordance with Section 247(7)(a) and (b) of the Act, the nature, scale and effect of the alterations proposed are not such that there is a requirement to enter into formal LRD pre-planning consultation. In accordance with Section 247(7) of the Act, the Letter dated 24th September 2024 confirming DCC's position (i.e. no formal LRD preplanning consultation required) is enclosed in Appendix A of this Report.

As a result, for avoidance of doubt and clarity, there is no LRD Opinion or the Applicant's Response to that Opinion accompanying this planning application. We do, however, provide a full assessment of the proposed amendments as part of this document, which we note should provide sufficient basis for assessment by the Local Authority.

4.0 OVERVIEW OF THE PROPOSED AMENDMENTS

4.1 Description of the Proposed Development (as per the Statutory Notices)

The proposed development, as described in the statutory notices, is as follows:

“We, Royalton Developments Dublin 4 Ltd. intend to apply for planning permission for a Large-Scale Residential Development comprising amendments to a permitted Strategic Housing Development of 112 no. units (An Bord Pleanála Ref: 310299-21) on the c. 0.385 ha site comprising the former Maxol Filling Station and a vacant motor sales/service garage (formerly Michael Grant Motors), Beach Road, Dublin 4 (Eircodes D04 A9P3 and D04 T4A0), which is actively under construction. The proposed amendments include changes to the ground floor layout and basement layout of the permitted development. These changes include amendments to the basement footprint the western section of the permitted retaining wall, including the arrangement of the attenuation tank within the basement. In addition, changes are proposed in the north-eastern section of the basement at the vehicular ramp. This will create a GIA increase of c. 293 sq m in the basement. In addition, the proposed amendment is comprised of a reorganisation of the basement layout including reorganisation of plant areas, attenuation tank, cycle parking areas and bin stores; redesign of the vehicular ramp to include segregation of cyclists and vehicles, with associated amendments to entrance gates; changes in level and reduction of permitted car parking spaces from 79 to 70 No. spaces.

In addition, it is proposed to provide 2 No. new fire escape stairs, with reorganisation of the permitted basement and ground floor layout and elevation changes. Other proposed amendments include redesign of the permitted stair cores, corridors and lobbies to comply with the Building Regulations (1997, as amended); amendments to the permitted landscape layout and materials and finishes; an increase in height of the top floor parapet level has risen by c. 315mm, with no impact on the permitted lift overrun; modifications to flood mitigation measures are proposed at ground level; reorganisation of plant and green roof provision at roof level to facilitate PV panels; and all associated site works above and below ground.”

These proposals are outlined in further detail below.

4.2 SHD Scheme Parent Permission, Granted September 2021 – ABP Ref. 310299-21

In September 2021, permission was granted by An Bord Pleanála for an SHD scheme comprising 112 No. apartments, resident’s amenity spaces and associated site works. The Order issued on 6th September 2021 erroneously included two Conditions (Nos. 6 and 7) relating to BTR use, which was not sought through the proposed development and not referred to in the Application documentation. A submission was made under Section 146A of the *Planning and Development Acts, 2000* (as amended), to remove those Conditions and an Additional Order issued on 12th July 2022, which omitted those Conditions. A copy of ABP’s Additional Order (July 2022) is attached in Appendix B for reference.

The development description for that SHD planning application, as per the statutory notices, is outlined as follows:

“Maxol Property Limited intends to apply to An Bord Pleanála for permission for a strategic housing development at this c. 0.385 ha site comprising the Maxol Filling Station and a vacant motor sales/service garage (formerly Michael Grant Motors), Beach Road, Dublin 4 (Eircodes D04 A9P3 and D04 T4A0). The site is bounded by Church Avenue to the north; existing education (St Matthew's National School) and residential development to the south and west; the junction between Cranfield Place and Beach Road to the south; and Beach Road to the east.

The development will consist of: the demolition and removal of all existing buildings and associated structures above and below ground (total 1,311 sq m) and the construction of a 6-storey apartment building (with set-backs at Third, Fourth and Fifth Floor Levels) (accommodating 112 No. apartments (56 No. 1-bed and 56 No. 2-bed units) and 297 sq m communal space primarily comprising a gym, lounge, work space, bookable room, office and parcel store) over single basement level (accommodating 79 No. car parking spaces (including 2 No. car club spaces), 4 No. motorbike parking spaces, 224 No. bicycle spaces, together with ancillary areas including circulation, plant, attenuation tank, waste management storage areas, and service areas).

Vehicular and pedestrian access to the site will be from Beach Road with additional pedestrian access via Church Avenue; (the total gross floor area of the proposed development is 12,273 sq m (including basement of 2,679 sq m and a detached single storey ground floor ESB Substation/ switchroom of 25 sqm)).

The development will also consist of the provision of: private open space in the form of balconies and terraces (on the Beach Road, Church Avenue frontages and to the rear of the building on the northwestern, southeastern and southwestern facades), and semi-private and public open space at ground level; all hard and soft landscaping including boundary treatments; changes in levels; plant; PV panels; SUDs' measures including a green roof; 10 No. bicycle spaces at ground level; waste collection area; and all other associated site excavation and site development works above and below ground.”

4.3 Overview of the Proposed Amendments

The proposed development seeks functional amendments have been made to the scheme in the interests of buildability and because of Fire Safety and Disability Access Certificate requirements. As previously noted, no change to the provision of unit numbers, building height, site coverage, plot ratio and density are proposed. The proposed alterations are limited in nature and, in our opinion, will result in a development that is substantially the same as the permitted development. We note that the proposed works have accounted for previously agreed compliance material associated with the approved development.

In summary, the proposed amendments include:

- The construction of a pedestrian/cyclist stairs to basement level segregated from the vehicular ramp from Beach Road;

- Additional stair core from basement to ground level to the rear of the building, with associated alterations to elevations and a consequent reduction to community amenity space;
- Relocation of waste collection point from east to west of the site;
- Alteration to design of stair cores at front of structure;
- Alteration to basement internal layout and car parking, resulting in the reduction of 9 No. car parking spaces (now 70 No. spaces total);
- Relocation and amendments to attenuation tank;
- PV panel arrangement at roof level;
- Repositioning of demountable flood barriers to reflect the relocation of the ESB Substation;
- Amendment to site landscaping; and
- The reconfiguration of cycle parking at basement and surface level, resulting in 2 No. additional spaces (236 No. cycle parking spaces total).

A detailed analysis of each proposed amendment is provided in Sections 4.3.1 to 4.3.10 below.

4.3.1 Construction of a Pedestrian/Cyclist Stairs to Basement Level segregated from the Vehicular Ramp

The basement vehicular ramp has been modified to comply with DAC and Part M (vertical clearance to allow the passage of high top vehicles). A segregated cyclist access has been provided, the access comprises a stairs with wheel channel for bikes. There will be a gated access to that stair at the back of the pavement which is accessible to residents via an app, and visitors with resident assistance. The provision of a segregated access will provide for a safer route for cyclists and pedestrians to the Basement.

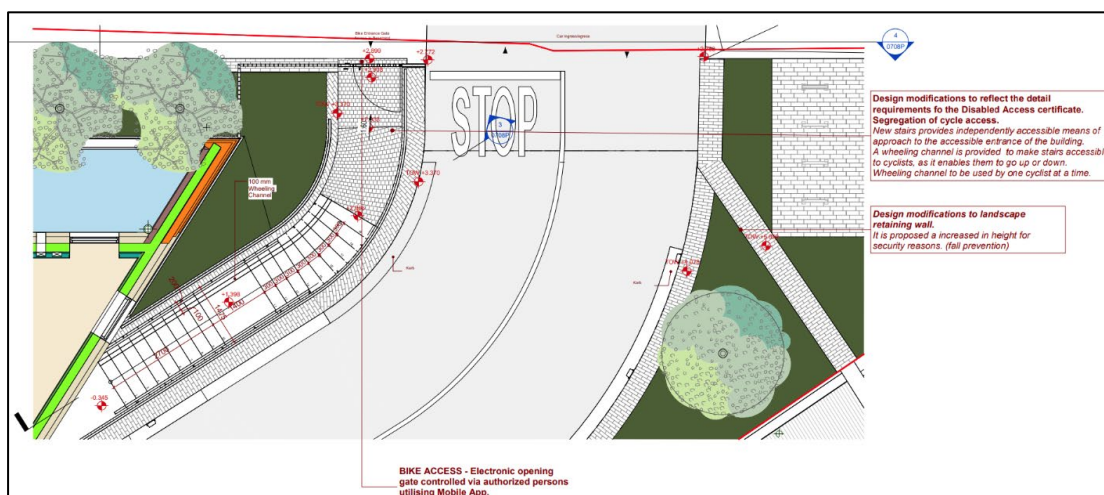


Figure 4.1: Extract from PLUS Architecture "Proposed Stair - External - Segregated Bike Access" Drawing, indicating design modifications to comply with DAC and Part M. (Source: PLUS Architecture Dwg. No. BRA-PLA-Z1-ZZ-DR-A-0708P, 2024.)



4.3.2 Additional Stair Core from Basement to Ground Level to the Rear of the Building, with Associated Alterations to Elevations and a Consequent Reduction to Community Amenity Space

As a requirement of the Fire Safety Certificate, an additional stair core has been introduced at the western side (rear) of the building, to provide a fire escape from the Basement Level to the external door at grade. A ventilation ope is also provided nearby between the Basement and Ground Level, these alterations result in minor modifications to elevations.

These alterations also result in a slightly reduced the communal amenity area to the rear at Ground Floor Level. The communal amenity areas will measure 269 sq m (a reduction of 28 sq m from 297 sq m as permitted). The residential units are conventional units (not BTR), therefore the communal amenity space is an additional feature of the scheme, and not in any way required under planning policy. While the reduction in this space is regrettable, we note the requirements to comply with Fire Safety Certification is a priority of our Client to allow for safe occupation of the building.

4.3.3 Relocation of Waste Collection Point

The permitted development provided for the storage of waste at basement level, with waste brought up to the surface level and left for a short period for collection at the southeastern corner of the site. That space is now proposed to be used for surface level cycle parking. It is instead proposed that the waste will be collected from the northern end of the site by the ESB Substation, i.e. from Church Avenue. The bins will not be visible from any existing dwelling and will therefore not impact the residential amenity of neighbours. The enclosed autotracking drawings demonstrate that this proposal can be implemented. A compliance submission was previously made in respect of this alteration, but this aspect is included in this Application for completeness.

4.3.4 Alteration to Design of Stair Cores at Front of Structure

In response to the Fire Safety Certificate, the two stair cores at the front of the building have been modified to provide separate external doors from the Basement Level from the upper levels, resulting in minor external alterations. These changes also resulted in an adjustment to a bin store and bike parking.

4.3.5 Basement Internal Layout and Car Parking

The addition of an additional stair core and alterations to permitted cores have had some knock-on impacts, including plant space allocation, and adjustments to the location and configuration of the attenuation tank.

Car parking will also be reduced from 79 to 70 No. spaces in the basement, which is a ratio of 0.63 spaces per unit (verses 0.7 spaces per unit). In view of the proximity of the site to the DART, recent improvements to the local bus service (including the introduction of the S2, C1 and C2 services) this is considered acceptable.

Future improvements to public transport will also be delivered in future to coincide with the ongoing development of Poolbeg SDZ. Please refer to the enclosed documentation prepared by PUNCH Consulting Engineers for further information.

4.3.6 Attenuation Tank

As per the Punch Consulting Engineers Report, adjustments have been made to the location and configuration of the attention tank at Basement Level. Thus, this alteration is immaterial to the wider development. Please refer to the enclosed documentation prepared by PUNCH Consulting Engineers for further information.

4.3.7 PV Panel Arrangement at Roof Level

A reorganisation of PV panels and green roof areas is noted at Roof Level of the permitted development. The amendment is to allow for the installation of the PVs away from green roof areas to comply with both NZEB requirements while also complying with relevant fire requirements. Please refer to the enclosed documentation prepared by PLUS Architecture, PUNCH Consulting Engineers and Axiseng for further information.

4.3.8 Repositioning of Demountable Flood Barriers

The permitted development provided for demountable flood barriers, the exact location of these has been adjusted to reflect the relocation of the ESB Substation (a Condition of the parent permission) and amendments to the basement access.

4.3.9 Amendment to Landscaping

Some alterations to landscaping include the provision of a higher retaining wall at the southeastern end of the site in order to for security and fall prevention. The southeastern corner of the site is also adjusted to provide additional surface level cycle parking in place of the previous waste collection point.

4.3.10 Reconfiguration of Cycle Parking – Basement and Surface Leve

Cycle parking has been increased to 238 No. spaces (which is higher than the Conditioned requirement to provide 234 No. cycle parking spaces). Thus, the cycle parking exceeds the *Apartment Guidelines, 2023* standard of 1 No. cycle space per apartment bedroom for residents, and 0.5 No. spaces per apartment for visitors, a total of 224 No. spaces. The alterations to cycle parking include the reduction of cycle parking at basement to 210 No. spaces, with 28 No. spaces at surface level (including 4 No. Cargo bike spaces), located to the front of the building and at the southeastern end of the site. Therefore, all residents' spaces are at basement level, with visitors split between basement and surface level.

4.4 Access Ramp Alterations

Amendments are proposed to the basement footprint, as noted above the western section of the permitted retaining wall, including the arrangement of the attenuation tank within the basement. In addition, changes are proposed in the north-eastern section of the basement at the vehicular ramp. This will create a GIA increase of c. 293 sq m in the basement, redesign of the vehicular ramp to include segregation of cyclists and vehicles, with associated amendments to entrance gates. This will provide enhanced safety for cyclists, while also providing appropriate security for the development.

4.5 Other Works

We also note that the development may require the removal of 1 no. pedestrian barrier at Church Avenue and the provision of updated road marking outside of the Client's ownership, as previously discussed with DCC. It is proposed that these works be conditioned by Dublin City Council in the event that permission is issued. This is outlined further below.

4.5.1 Works Required to Facilitate Fire tender and Waste access

There are existing pedestrian barriers at Church Avenue to the north of the subject site. Irrespective of other alterations proposed in this Application, a portion of the barrier is proposed to be removed to provide Fire Tender Access to the side / rear of the building. This access would also serve the revised waste collection point.

Auto-tracking drawings by Punch Consulting Engineer are enclosed, and the enclosed Memorandum prepared by Punch Consulting Engineers provides future information:

"The roadside barrier removal is considered appropriate considering the presence of the barrier is a design that is not normally considered to be in accordance with DMURS".

As a result of the removal of the section of the roadside barrier, the section of the concrete pavement is to be upgraded as part of the access upgrade works.

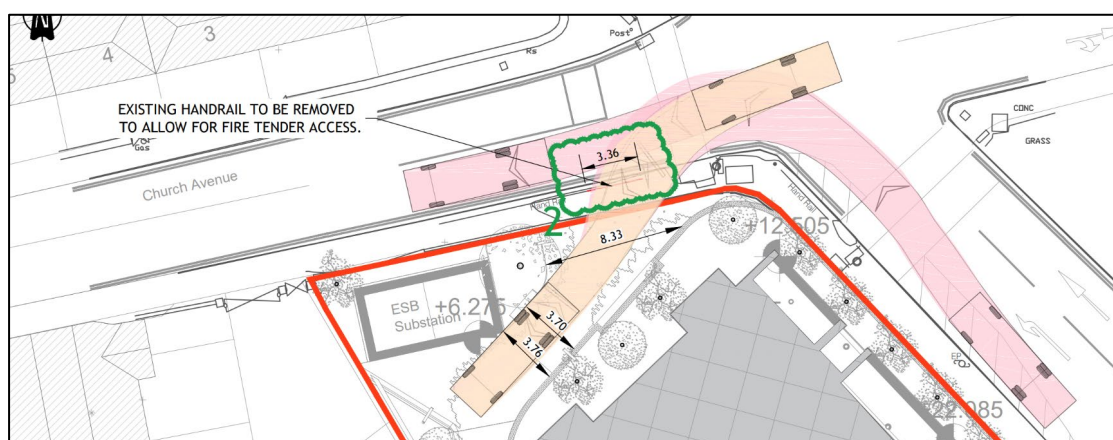


Figure 4.2: Extract from PUNCH Consulting Engineers "Vehicle Swept Path Analysis Fire Tender" Drawing, indicating section of the roadside barrier on Church Avenue to be removed. (Source: PUNCH Consulting Engineers Dwg. No. BRA-PUN-PA-00-DR-C-D2-0605, 2024.)

4.5.2 Road Markings

Access to the Basement Vehicle Access Ramp is to be managed via signage at ground level, as well as through the use of newly proposed road marking on Beach Rd. It is proposed that in the event that permission is issued, DCC can include such conditions to allow the appropriate road marking works to be finalised. Please refer to the PUNCH Consulting Engineers documentation for further information.

4.6 Environmental Impact Assessment Screening

EIA requirements are governed by Directive 2014/52/EU, amending the previous EIA Directive 2011/92/EU. The primary objective of the EIA Directive is to ensure that projects that are likely to have significant effects on the environment are subjected to an assessment of their likely impacts.

Various types of projects and associated thresholds are defined in the Directive to classify whether a project is or is not likely to have a significant effect. These are set out as Annex I and Annex II. Annex I projects require mandatory EIA. Annex II projects require EIA if significant effects are likely. The latter is established in two ways: classes of project and associated thresholds whereby 'significant effects' are triggered and sub-threshold projects that are likely to have 'significant effects on the environment'. Section 15.3.2 and Policy GI9 of the *Development Plan* requires that all planning applications will undergo EIA Screening by the Competent Authority as part of the planning application process.

The proposed development falls significantly below the project types and associated thresholds defined within the EIA Directive. We therefore confirm that the proposed development does not trigger a mandatory EIA. In terms of sub-threshold projects, due to the scale and nature of the development and the characteristics of the application site, it is our opinion that the proposed development will not give rise to significant effects on the environment. Further to this, we confirm that this planning application submission is supported by a suite of site-specific assessments that confirm that the proposed development will not give rise to any significant impacts on the environment.

4.7 Appropriate Assessment

The Appropriate Assessment Guidance was published to guide compliance with the Birds Directive, 1979 and the Habitats Directive, 1992. An Appropriate Assessment Screening was prepared by Openfield Ecological Services with the original planning application and concluded that a Stage 2 assessment was not required in respect of the proposed development. An updated Appropriate Assessment Screening has been included with this planning application and reaches the same conclusion.

5.0 PLANNING POLICY CONTEXT AND RELATED CONSIDERATIONS

The below Planning Policy Context /Statement of Consistency confirms that the relevant National and Strategic Planning Policies have been taken into account as relevant to this amendment application. This proposed amendment is minor in scale and nature and does not affect the overall principle of the permitted development, as confirmed by Dublin City Council at LRD Stage 1 Section 247 Pre-Planning Consultation, and therefore, in our view, the Strategic Planning Context remains unchanged. We refer the Planning Authority to the previously submitted Planning Reports containing Statement of Consistency's addressing this overall development.

It is therefore submitted that the proposed minor amendments do not alter the consistency of the permitted development with the following Ministerial Guidelines:

- *Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, 2009*;
- *Guidelines for Sustainable Residential Development, Urban Design Manual, 2009*;
- *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities, 2023*;
- *Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018*;
- *The Planning System and Flood Risk Management - Guidelines for Local Authorities, 2009*; and
- *Design Manual for Urban Roads and Streets*

Due to the minor nature of the proposed amendments, it is not considered necessary to further examine the development against these Guidelines.

5.1 Local Planning Policy – *Dublin City Development Plan 2022-2028*

In the intervening period since planning permission was granted for ABP Ref. 310299-21, the *Dublin City Development Plan 2022-2028 (Development Plan)* was adopted and came into legal effect on 14th December 2022. This is the statutory document governing any future development on the subject site.

As such, we demonstrate below that the proposed development fully complies with the policies, objectives, and development management standards at a local level.

As noted in the introduction, pursuant to Section 34(3C) of *the Act*, the Planning Authority is restricted to considering only the modifications proposed under the subject application. While the permitted scheme cannot be reassessed as it benefits from an existing permission (which is actively under construction), this section considers the proposed amendment specifically (where relevant) but also aims to contextualise it within the wider permitted scheme for information purposes.

5.1.1 Land Use Zoning – Sustainable Residential Neighbourhood

The *Development Plan* zones the site Z1 Objective (Sustainable Residential Neighbourhoods), which aims:

“To protect, provide and improve residential amenities.”

The proposed amendments to the permitted SHD Scheme are consistent with the current site’s Z1 Zoning Objective which remains unchanged from the previous *Development Plan* (2016-2022). Importantly the proposal provides for no change to the number or mix of residential units, thus facilitating the realisation of the sites zoning objective.

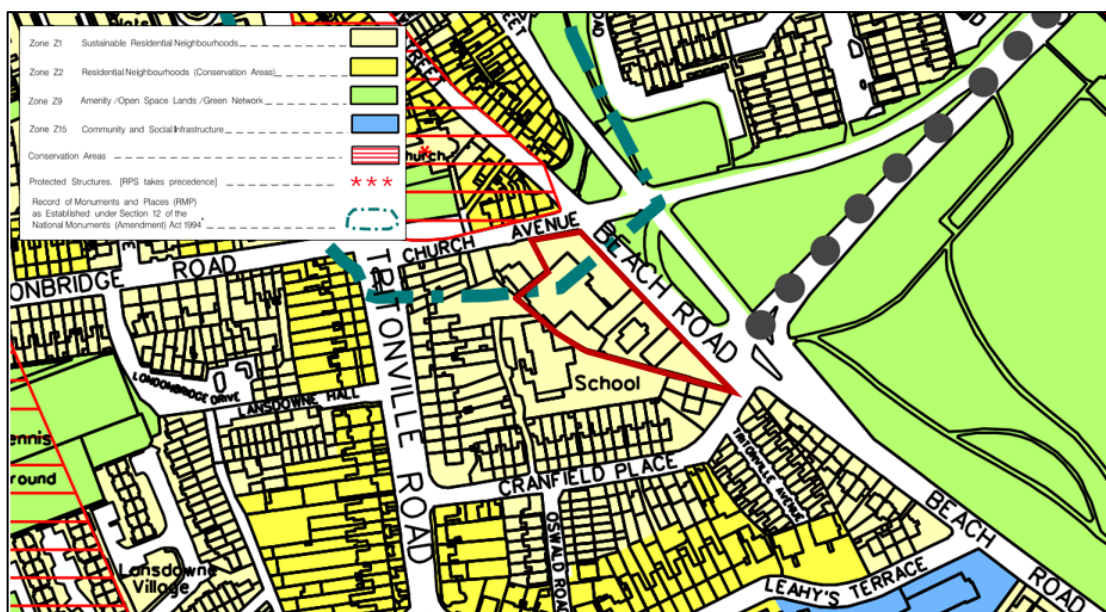


Figure 4.1: Land Use Zoning Map with approximate extent of subject site outlined in red. (Source: Extract from Map F, *Dublin City Development Plan 2022-2028*, annotated by Tom Phillips + Associates, 2024.)

5.1.2 Urban Design

We note that this proposed amendment does not increase the overall height of the building, amend or change permitted residential units, increase density or change site coverage or plot ratio. As the works are largely limited to the roof, basement and ground floor level, as well as minor works proposed externally to the building, the proposed amendment is assessed only in relation to relevant sections of the *Development Plan*.

5.1.3 Climate Action & Sustainable Development

“Policy CA9 - Climate Adaptation Actions in the Built Environment: Development proposals must demonstrate sustainable, climate adaptation, circular design principles for new buildings / services / site. The council will promote and support development which is resilient to climate change. This would include:

- a. measures such as green roofs and green walls to reduce internal overheating and the urban heat island effect;*

- b. ensuring the efficient use of natural resources (including water) and making the most of natural systems both within and around buildings;
- c. minimising pollution by reducing surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems (SuDS);
- d. reducing flood risk, damage to property from extreme events– residential, public and commercial;
- e. reducing risks from temperature extremes and extreme weather events to critical infrastructure such as roads, communication networks, the water/drainage network, and energy supply;
- f. promoting, developing and protecting biodiversity, novel urban ecosystems and green infrastructure.”

The proposed development includes a range of sustainable design principles to ensure the proposals are resilient to climate change as previously permitted, including PV provision and reorganisation of green roof provision. We refer the Planning Authority to Landscape Plan, prepared by PLUS Architecture outlining the minor landscaping changes which consistent with these measures.

“QHSN38 - Housing and Apartment Mix: To encourage and foster the creation of attractive, mixed use, sustainable residential communities which contain a wide variety of housing and apartment types, sizes and tenures, in accordance with the Housing Strategy and HNDA, with supporting community facilities and residential amenities. Further detail in regard to unit mix is set out in Chapter 15: Development Standards. Unit mix requirements for the Liberties and the North Inner City are set out in Section 15.9.1 and Table 37 of the Housing Strategy in Appendix 1.

The proposed amendment does not change or affect the permitted residential element of the SHD Scheme. We refer the Planning Authority to the Schedule of Accommodation prepared by PLUS Architecture confirming the same.

5.1.4 Sustainable Movement and Transport

Some 79 No. car parking spaces were permitted in the SHD permission, accessible via basement ramp access from Beach Road. As a result of internal basement arrangements, this is proposed to be revised down to 70 No. car parking spaces.

Appendix 5 of the *DCC Development Plan* provides maximum car parking standards for apartment developments with respect to the 3 No. Parking Zones. The subject site is located in Parking Zone 2, which “occurs alongside key public transport corridors”, and is outside the Canal and North Circular Road Cordon of Zone 1. Parking Zone 2 identifies a maximum car parking provision of 1 No. space per dwelling.

Due to the site’s proximity to the city centre, direct and frequent bus connections to other public transport infrastructure and the provision of a range of secure cycle parking options, the reduction in 9 No. car parking space is not considered likely to have an adverse impact on the area.

“Policy CA25 - Electric Vehicles: *To ensure that sufficient charging points and rapid charging infrastructure are provided on existing streets and in new developments subject to appropriate design, siting and built heritage considerations and having regard to the Planning and Development Regulations (2001) as amended, which have been updated to include EV vehicle charging point installation.”*

There is a reduction of 1 No. EV charging space, which reflects the reduction in the overall proportion of car parking to be provided. We note that ample cycle parking upgrades are proposed to offset this reduction. The proposed amendments reduce the car parking spaces and increases the cycle parking quantum, albeit for unrelated reasons however it aligns with : ***“Policy SMT1 - Modal Shift and Compact Growth:*** *To continue to promote modal shift from private car use towards increased use of more sustainable forms of transport such as active mobility and public transport, and to work with the National Transport Authority (NTA), Transport Infrastructure Ireland (TII) and other transport agencies in progressing an integrated set of transport objectives to achieve compact growth.”*

5.1.5 Sustainable Environmental Infrastructure and Flod Risk

“Policy SI3 – Separation of Foul and Surface Water Drainage Systems: *To require all new development to provide separate foul and surface water drainage systems.”*

There are no changes proposed to the permitted foul and surface water drainage systems in the consented scheme. The consented scheme provides for separate foul and surface water drainage systems. We refer the Planning Authority to the enclosed documentation, prepared by Punch Consulting Engineers for further detail.

“Policy SI4 - Drainage Infrastructure Design Standards: *To require new private development sewers which are intended to connect to the public drainage system to comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works and/ or Irish Water foul sewer specification (where applicable).”*

The consented development complies with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works and Irish Water foul sewer specification. No changes to the permitted drainage infrastructure are proposed. Modifications to flood mitigation measures are proposed at ground level. Furthermore, the proposed amendments do not require any changes to drainage layouts (wastewater or surface water). All drainage remains as previously permitted under ABP Ref. 310299-21. A copy of the Irish Water Certificate of Feasibility, as submitted with the permitted SHD scheme is included as part of this application, to address LRD Application validation requirements. We refer the Planning Authority to the enclosed documentation, prepared by Punch Consulting Engineers for further detail.

6.0 DOCUMENTS SUBMITTED AS PART OF THIS APPLICATION

The documentation outlined in the following Sections forms part, and is in support, of the subject Planning Application.

6.1 Planning Fee

Please refer to enclosed correspondence from Dublin City Council in relation to payment of fees, which notes that no fees are required in relation to the proposed amendment. Appendix C.

6.2 Statutory Notices – Newspaper and Site Notice

We enclose:

1. An original page of the *Irish Daily Star*, dated 26th September 2024 in which notice of the application has been published pursuant to article 17(1)(a) of the *Planning and Development Regulations 2001 (as amended)*.
2. One copy of the Site Notice dated 26th September 2024 and erected or fixed on the land or structure pursuant to article 17(1)(b) of the *Planning and Development Regulations 2001 (as amended)*.

6.3 Planning Application Forms

The digital Planning Application form has been duly completed on the Planning Portal in advance of lodgement. In addition, a supplementary Dublin City Council 'Form 19' has been included with this submission.

6.4 Reports

Digital versions of all Reports were submitted online. These include the following documents:

- *Planning Report* (this document), prepared by Tom Phillips + Associates, dated September 2024;
- *Proposed Schedule of Accommodation*, prepared by PLUS Architecture, dated September 2024;
- *Permitted Schedule of Accommodation*, prepared by JFA Architects, dated May 2021.
- *Permitted Works & Maintenance Specification Document*, prepared by PLUS Architecture, dated September 2024;
- *Proposed Planting Schedule*, prepared by PLUS Architecture, dated September 2024;
- *Basement Impact Assessment*, prepared by PUNCH Consulting Engineers, dated September 2024;
- *Infrastructure Design Report including Surface Water Management Plan*, prepared by PUNCH Consulting Engineers, dated September 2024;
- *Car Park Management Plan*, prepared by PUNCH Consulting Engineers, dated September 2024;

- *Traffic and Transportation Assessment*, prepared by PUNCH Consulting Engineers, dated September 2024;
- *Mobility Management Plan*, prepared by PUNCH Consulting Engineers, dated September 2024;
- *Site-Specific Flood Risk Assessment*, prepared by PUNCH Consulting Engineers, dated September 2024;
- *Energy Strategy Design Intent*, prepared by Axiseng Consulting Engineers, dated September 2024;
- *Stage 1 Road Safety Audit*, prepared by Bruton Consulting Engineers, dated September 2024; and
- *AA Screening Report*, prepared by Openfield Ecological Services, dated September 2024.

6.5 Drawings

Digital Versions of all relevant architectural drawings, prepared by PLUS Architecture, and engineering drawings, prepared by PUNCH Consulting Engineers are enclosed with this Application.

6.6 Environmental Impact Assessment Screening

EIA requirements are governed by Directive 2014/52/EU, amending the previous EIA Directive 2011/92/EU. The primary objective of the EIA Directive is to ensure that projects that are likely to have significant effects on the environment are subjected to an assessment of their likely impacts.

Various types of projects and associated thresholds are defined in the Directive to classify whether a project is or is not likely to have a significant effect. These are set out as Annex I and Annex II. Annex I projects require mandatory EIA. Annex II projects require EIA if significant effects are likely. The latter is established in two ways: classes of project and associated thresholds whereby 'significant effects' are triggered and sub-threshold projects that are likely to have 'significant effects on the environment'. Section 15.3.2 and Policy GI9 of the *Development Plan* requires that all planning applications will undergo EIA Screening by the Competent Authority as part of the planning application process.

The proposed development falls significantly below the project types and associated thresholds defined within the EIA Directive. We therefore confirm that the proposed development does not trigger a mandatory EIA. In terms of sub-threshold projects, due to the scale and nature of the development and the characteristics of the application site, it is our opinion that the proposed development will not give rise to significant effects on the environment. Further to this, we confirm that this planning application submission is supported by a suite of site-specific assessments that confirm that the proposed development will not give rise to any significant impacts on the environment.

6.7 Appropriate Assessment

The Appropriate Assessment Guidance was published to guide compliance with the Birds Directive, 1979 and the Habitats Directive, 1992. An Appropriate Assessment Screening was



prepared by Openfield Ecological Services with the original planning application and concluded that a Stage 2 assessment was not required in respect of the proposed development. An updated Appropriate Assessment Screening has been included with this planning application and reaches the same conclusion.

7.0 CONCLUSION

This *Planning Report/Statement of Consistency* has been prepared to accompany a planning application for a Large-Scale Residential Development consisting of amendments to the Strategic Housing Development permitted under An Bord Pleanála Ref. ABP-310299-21 at the site at Beach Road, Dublin 4.

This planning application will facilitate the necessary amendments to ensure the safe and sustainable occupation of future residents.

In conclusion, the proposed development is substantially the same as the permitted development will therefore not give rise to unacceptable impacts upon the surrounding context, including existing neighbouring residential development, and will set a high-quality precedent for brownfield infill development. This application is supported by a robust suite of assessments which demonstrate the compliance of the proposed development with the relevant policies and objectives of the *Dublin City Development Plan 2022-2028*.

It is considered that the proposed development is consistent with planning policy at all tiers, the relevant Section 28 Ministerial Guidelines and the *Dublin City Development Plan 2022-2028*, as demonstrated throughout this report, and is in accordance with the proper planning and sustainable development of the area. The proposed development has been designed having regard to all relevant planning policies and guidance. It is considered that the development accords with national, regional, and local, sustainable planning principles.

We trust you will find this application in order. Please do not hesitate to contact the undersigned should you require any further information.

Yours faithfully



Julie Costello
Associate
Tom Phillips + Associates

Encl.

APPENDIX A: Letter from Dublin City Council, dated 24th September 2024, confirming no formal LRD preplanning consultation was required.



An Roinn Phleanála & Forbairt Maoine,
Bloc 4, Urlár 3, Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8, D08 RF3F

Planning & Property Development Department,
Block 4, Floor 3, Civic Offices
Wood Quay, Dublin 8, D08 RF3F

24/09/2024

Royalton Developments Dublin 4 Ltd.
c/o Julie Costello,
Tom Phillips + Associates,
80 Harcourt Street,
Dublin 2 D02 F449,
info@tpa.ie

Re: Section 247 (7) – Section 247(7) Request for LRD Application for amendments to permitted development ABP 310299-21 (SHD0010/21) for 112 no. apartments and associated works on the c. 0.385 ha site comprising the former Maxol Filling Station and a vacant motor sales/service garage (formerly Michael Grant Motors), Beach Road, Dublin 4 (Eircodes D04 A9P3 and D04 T4A0),

Dear Julie,

A *Pre-Application Consultation Request* dated 29/08/24 was received by Dublin City Council's Planning Department on behalf of Royalton Developments Dublin 4 Ltd.

The request for consultation was regarding proposed amendments to permitted Strategic Housing Development Reg. Ref. ABP 310299-21 which was granted by An Bord Pleanála on the 6/9/21, for the construction of a 6 storey apartment building, providing 112 residential units, communal space, a basement level car park and associated works.

A subsequent Section 247 meeting was held between the applicant – Royalton Developments Dublin 4 Ltd, and Dublin City Council on the 29/8/24 (as per Planning and Development Act 2000-2022)(LRD6069/24S-1).

The following references a determination under Section 247 (7) of the aforementioned Act.

Determination under Section 247 (7) of the Planning & Development Act 2000 as amended

Introduction

The Planning Authority received a request on behalf of Royalton Developments Dublin 4 Ltd, in relation to proposed amendments to a permitted development Reg. Ref. ABP 310299-21.

Permitted and Proposed Development

The permitted development was for:

the demolition and removal of all existing buildings and associated structures above and below ground (total 1,311 sq m) and the construction of a 6-storey apartment building (with setbacks at Third, Fourth and Fifth Floor Levels) (accommodating 112 No. apartments (56 No. 1-bed and 56 No. 2-bed units) and 297 sq m communal space primarily comprising a gym, lounge, work space, bookable room, office and parcel store) over single basement level (accommodating 79 No. car parking spaces (including 2 No. car club spaces), 4 No. motorbike parking spaces, 224 No. bicycle spaces, together with ancillary areas including circulation, plant, attenuation tank, waste management storage areas, and service areas).

Vehicular and pedestrian access to the site will be from Beach Road with additional pedestrian access via Church Avenue; (the total gross floor area of the proposed development is 12,273 sqm (including basement of 2,679 sqm and a detached single storey ground floor ESB Substation/ switchroom of 25 sqm)).

The current proposal relates to:

"The proposed amendments include changes to the ground floor layout and basement layout of the permitted development. These changes include amendments to the basement footprint the western section of the permitted retaining wall, including the arrangement of the attenuation tank within the basement. In addition, changes are proposed in the north-eastern section of the basement at the vehicular ramp. This will create a GIA increase of c. 293 sq m in the basement. In addition, the proposed amendment is comprised of a reorganisation of the basement layout including reorganisation of plant areas, attenuation tank, cycle parking areas and bin stores; redesign of the vehicular ramp to include segregation of cyclists and vehicles, with associated amendments to entrance gates; changes in level and reduction of permitted car parking spaces from 79 to 70 No. spaces.

In addition, it is proposed to provide 2 No. new fire escape stairs, with reorganisation of the permitted basement and ground floor layout and elevation changes. Other proposed amendments include redesign of the permitted stair cores, corridors and lobbies to comply with the Building Regulations (1997, as amended); amendments to the permitted landscape layout and materials and finishes; an increase in height of the top floor parapet level has risen by c. 315mm, with no impact on the permitted lift overrun; modifications to flood mitigation measures are proposed at ground level; reorganisation of plant and green roof provision at roof level to facilitate PV panels; and all associated site works above and below ground."

Determination

The Planning Authority has compared the proposed development to the permitted development, and considered whether the —

- (a) the proposed development is substantially the same as the permitted development, and
- (b) the nature, scale and effect of any alterations to the permitted development are not such that require the consultation process to be repeated.

The Planning Authority has determined that **no further consultation is required** under Section 247 in relation to the proposed development.



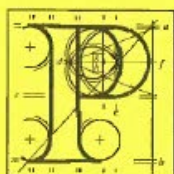
This determination is based on plans and particulars received by the Planning Authority on the 26/6/24, 29/8/24, 9/9/24 and 12/9/24.

In accordance with Section 247(8) of the Act, a determination under subsection 247 (7) shall not prejudice the performance by the Planning Authority of its functions under this Act or any regulations under the Planning and Development Act 2000-2022 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Yours sincerely,
Brianán Nolan
Senior Executive Planner
South East Area
Dublin City Council



APPENDIX B: Amending Board Order for SHD ABP Ref. 310299-21, dated 12th July 2022.



An
Bord
Pleanála

**Board Direction
BD-010974-22
ABP-310299-21**

**Re: Amending Board Order
S146A of the Planning and Development Act 2000, as amended**

The submissions on this file were considered at a Board meeting held on
12/07/2022.

WHEREAS the Board made a decision to grant permission, in relation to the above-mentioned development by order dated the 6th day of September 2021,

AND WHEREAS it has come to the attention of the Board that, due to a clerical error in Condition Numbers 6 and 7 referring to a Build-to-Rent development,

AND WHEREAS the Board considered that the correction/clarification of the above-mentioned matter would not result in a material alteration of the terms of the development,

AND WHEREAS, having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the application the subject of this amendment,

NOW THEREFORE, in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-



mentioned decision so that conditions of its order and the reason therefor shall be as follows:

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, and the development shall be carried out and completed in accordance with the agreed particulars. 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. Details of the materials, colours and textures of all the external finishes to the proposed building 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.

3. The noise mitigation measures outlined in the Natura impact statement shall be fully implemented at demolition, construction and operational phases of the development.

Reason: To ensure that the development has no adverse impact on the qualifying interests of the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024).



4. 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.

5. Proposals for a development name 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 such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

6. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development or installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

7. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. 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.



8. (a) The road network serving the proposed development, including turning bays, junction with the public road, parking areas, footpaths and kerbs, access road to the service area and the basement car park shall be in accordance with the detailed construction standards of the planning authority for such works. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.
- (b) The footpath width on Church Avenue shall be a minimum of 2 metres in width, revised details shall be submitted for the written agreement of the planning authority and shall include revised hard and soft landscaping and boundary details.
- (c) The substation shall be setback a minimum of 1 metre from the back of the revised footpath on Church Avenue.

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

9. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.
- (b) Two of the car parking spaces shall be reserved solely for the use by a car sharing club. The developer shall notify the planning authority of any change in the status of this car sharing club.
- (c) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.



10. A minimum of 10% of all car parking spaces should be provided with functioning electric vehicle charging stations or points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of electric vehicle charging points or stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations or 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. The car parking spaces for sole use of the car sharing club shall also be provided with functioning electric vehicle charging stations or points.

Reason: To provide for and or future proof the development such as would facilitate the use of electric vehicles.

11. A total of 234 number bicycle parking spaces and room for four cargo bicycles shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

12. Prior to the opening or occupation of the development, a Mobility Management Strategy including an interim or temporary strategy reflecting any requirements or adjustments relating to Covid-19 movement and travel patterns 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 and carpooling by residents, occupants and staff employed in the development and to reduce and regulate the extent of parking. Details may include the provision of centralised facilities within the commercial element of the development for bicycle parking, shower and changing facilities associated with



the policies set out in the strategy. The interim or temporary strategy, where applicable, should reflect the requirements of Design Manual for Urban Roads and Street Interim Advice Note – Covid Pandemic Response May 2020. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport and reflecting the needs of pedestrians and cyclists during Covid-19 pandemic.

13. 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.

14. Prior to commencement of development, the developer shall enter into water and or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

15. The site shall be landscaped and earthworks carried out in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

16. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, 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 plans 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 development and in the interest of residential amenity.

- 17. (a) 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 for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.
- (b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.
- (c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

- 18. 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.

19. 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 and demolition waste and details of how it is proposed to manage excavated soil;
- (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.
- (m) 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 interest of amenities, public health and safety.

20. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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.

21. 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.

22. 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.

23. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.



Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member: _____

Date: 12/07/2022

Dave Walsh

APPENDIX C: Email correspondence from Mr. Dean Stout in the Dublin City Council Planning Drawing Office, confirming that there is no fee payable for this LRD application.



Outlook

RE: Beach Road, Dublin 4 - LRD

From Dean Stout [REDACTED]
Date Tue 24 Sep 2024 10:53
To Laura Crowe [REDACTED]; Julie Costello [REDACTED]; Órla [REDACTED]
Cc Brianán Nolan [REDACTED]; Sonva Long [REDACTED]; Coman
Doorly [REDACTED]; John Gannon [REDACTED]; Planning - Drawing Office
<planningdrawingoffice@dublincity.ie>

Hi Laura,

I was in contact with Brianan Nolan the area planner and as this application does not include new residential units or an increase in commercial floor area there will be no fee under the LRD scheme.

Hope this helps

Regards

Dean Stout

Dean Stout | Planning Drawing Office | Planning and Property Development Department | Dublin City Council
T: (01) 222 2071 M [REDACTED] | E: [REDACTED]