



An
Bord
Pleanála

Inspector's Report

ABP-321164-24

Development

Demolition of a dwelling for the construction of 73 residential units and a childcare facility in seven apartment blocks ranging in 6 to 3 storeys in height. Access is at the existing access at Harold's Grange Road authorised under D11A/0191 via the phase 2 development authorised under D20A/0746 and all associated site works.

Location

Deerfield House, Harold's Grange Road, Dublin 18

Planning Authority

Dun Laoghaire County Council

Planning Authority Reg. Ref.

D23A/0743

Applicant(s)

Deerfield Properties Ltd

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Paul Dowling & Helen Bennett

Grange Hill Residents Association

Observer(s)

Tommy McDonald

Date of Site Inspection

23rd January 2025

Inspector

Aisling Mac Namara

1.0 Site Location and Description

- 1.1 The site, which has a stated area of 0.93 hectares is located on the southern side of Harold's Grange Road, Rathfarnham, Dublin 16. The site is located approx. 300m east of Marlay Park and 1 km south-west of Junction 13 (Dundrum) of the M50 motorway.
- 1.2 The site forms part of an overall landholding on which the Grange Hill housing estate (19 no. dwellings) was the first phase of a larger permitted development that was never completed. Phase 2 was permitted under ABP-311151-21 for which 39 residential units were permitted. This current proposal forms Phase 3 of the overall development.
- 1.3 The site is bounded by the M50 motorway to the south, Harold's Grange Road to the north, the Silverton residential estate to the west and a detached house 'Ancrum' to the east.
- 1.4 The topography of the site rises towards the south and to the E/SE where there is a large soil heap. Part of the site is heavily overgrown with mature trees and bushes. There are also some mature trees/planting along the roadside boundary. The former dwelling 'Deerfield' has been demolished and the demolition material is on the site and the former outbuildings are still in place.

2.0 Proposed Development

- 2.1 The proposal comprises the demolition of a two-storey dwelling house and construction of 73 no. residential units, childcare facility and ancillary site development works. The following key details are noted:

Site Area	0.93 ha
No of units	73 no. units comprising: 22 x 1 bed units 34 x 2 bed units 17 x 3 bed units
Other Uses	Demolition of existing dwelling- 294m ²

	Provision of Childcare Facility- 194m ²
Height	Up to 6 storeys
Density	78 units/hectare
Car/Bicycle Parking Provision	107 car spaces (49 surface; 58 undercroft) 180 bicycle spaces 2 motorcycle
Vehicular entrance	Access from Harold's Grange Road via existing Grange Hill estate and via Phase 2 development permitted under ABP-311151-21
Open Space	1595sqm public open space and 620sqm communal open space
Part V	16 units

3.0 Planning Authority Decision

3.1 Decision

Permission GRANTED subject to 33 no. conditions

Condition 2 omits the 2nd floor of Block A1.

Condition 3 requires final design details for the final line of the north façade of blocks B1, B2, B3 and B4 and walls to ensure no encroachment into reservation for Part 8 approved Blackglen Road / Harold's Grange Road Improvement Scheme.

Condition 4(a) requires the developer to provide a 4m shared surface to connect to the existing footpath at the western end of the site along the proposed boundary with Harolds Grange Road, in the absence of the delivery of the Harolds Grange Road, College Road improvement scheme.

Condition 4(b) requires the developer to provide a toucan crossing as proposed as part of the approved Part 8 Blackglen Road / Harolds Grange Road Improvement

Scheme, in the absence of the delivery of the Harolds Grange Road, College Road improvement scheme.

Condition 5(a) relates to provision of a permeability link with minimum 2m wide footpath and 3m wide two-way cycle track to the adjacent Silverton footpath and carriageway to the satisfaction of the PA.

Condition 5(b) states that the proposed development shall include built elements to the west boundary end cul-de-sac roadway and boundary kerb to facilitate the possible, additional, future connection to the developable lands to the rear of Silverton to the west of the proposed development.

Condition 12 requires the submission of a method statement for measures to be implemented to safeguard roadside trees including adjacent to M50 boundary.

Condition 14 requires the applicant to implement the measures detailed in the submitted Acoustic Design Statement including the submission of an Acoustic Design Statement prior to development with noise mitigation measures to mitigate the noise effects of the adjacent motorway.

Condition 27 requires section 47 agreement restricting the first occupation of any house or duplex to individual purchasers and / or to those eligible for social / affordable housing including cost rental housing.

Condition 28 relates to a financial contribution of €431,250.00 in lieu of public open space in accordance with Development Contribution Scheme.

3.2 Planning Authority Reports

3.2.1 Planning Reports

- Case Planner- First report recommends further information (25/01/2024).
- Further Information was requested by the planning authority on 25/01/2024 in relation to 15 matters including the submission of landscape and visual impact assessment, public open space provision, taking in charge, existing planting, floor to ceiling heights, external storage, demolition details of the Deerfield dwelling, submission of Energy Statement, building lifecycle, impacts on 'Ancrum'; public transport capacity assessment, biodiversity matters, environmental health matters, parks matters, environmental matters, drainage

matters, transportation matters including facilities for pedestrians and cyclists, road improvement works and links to adjoining lands, car/ motorcycle parking and cycle parking, and construction management plan.

- The Further Information received on 11/09/2024 was deemed significant by the planning authority and revised public notices were submitted. The number of units was reduced to 71 no. in the response to FI, resulting in a unit mix of 21 no.1 bed units, 34 no. 2 bed units and 16 no. 3 bed units.
- Second report of the Case Planner recommends grant of permission (08/10/2024) - reflects decision of planning authority.

3.2.2 Other Technical Reports

- Transportation Planning Section- No objections, subject to conditions (02/10/2024); FI recommended (23/01/2024)
- Environmental Enforcement Section: concerned by absence of environmental planning reports and recommends further information or planning conditions (13/12/2023)
- Public Lighting Section: Proposal acceptable (19/12/2023)
- Parks and Landscape: provides comments and recommendations including further information (05/01/2024 and 09/10/2024)
- EHO: Acceptable, subject to conditions (26/09/2024); FI recommended (09/01/2024)
- Drainage Planning Section: Adequate information submitted to address FI request, conditions recommended (30/09/2024); FI recommended (12/01/2024)
- Housing Officer: Condition should be attached to any grant of permission (17/01/2024)
- Building Control: areas within the development to be taken in charge are to comply with Council policy and standards. If the development is offered for Taking in charge prior to adjoining development at Grange Hill, a wayleave through Grange Hill development giving access to DLR Co.Co. must be put in place. Any services running through private areas within the subject

development and being offered for taking in charge must have wayleave in favour of DLR Co.Co. to access these services. (19/01/2024)

3.3 Prescribed Bodies

Transport Infrastructure Ireland (dated 17/09/2024):

Position remains unchanged from that of 20/12/2023 which states that they will rely on PA to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012); recommends mitigation measures be provided to protect occupants amenity in terms of noise, air, visual due to roads in vicinity; shall be no impacts on M50 boundary

Uisce Eireann: no objections (17/01/2024)

3.4 Third Party Observations

The planning authority received a number of submissions which raised issues similar to those contained in the third-party submissions. In summary these issues relate to excessive density, excessive height and scale, out of character, visual amenity impacts, inadequate public transport, inadequate car parking, residential amenity including overlooking, overshadowing, overbearing, traffic congestion and road and pedestrian safety, adequacy of existing road and footpaths and premature pending road improvement scheme, construction concerns, boundary and landscaping, availability of documents, inadequate green space and public space and poor functionality of public open space in existing Grange Hill, failure to complete originally permitted development in accordance with permission, contravention of zoning objective, lack of justification for demolition of existing house, drainage issues.

Third parties submitted additional observations on the publication of the significant further information, raising similar concerns.

4.0 Planning History

The most recent history for assembled Grange Hill, Ancrum and Deerfield site:

ABP-311151-21(D20A/0746)

Permission GRANTED Jan 2023 for 39 no. residential units and ancillary site works
PL06D.239837 (D11A/0191)

Permission GRANTED July 2012 for demolition of 5 no. dwellings, outbuildings and stables and construction of 71 no. dwellings and ancillary site works

ABP-302089-18 (D18A/0084)

Permission REFUSED for amendment to D11A/0191 for construction of new access road and associated works. Refusal reasons: (i) materially contravenes approved Part 8 planning scheme for the upgrade of Blackglen Road/ Harolds Grange Road and materially contravenes a six year road improvement objective in the CDP, (ii) additional access on Harolds Grange Road where width and alignment of the carriageway is substandard, there is absence of continuous footpath and multiplicity of accesses, represents piecemeal development which would adversely impact the use of the road and result in traffic hazard.

PC/IC/01/15

DLR County Council Part VIII– approval in June 2016 for construction of c 3km of single carriageway / cycle track/ footpath and ancillary works at Blackglen Road / Harold's Grange Road

I refer the Board to planning authority Report for a more detailed planning history of the wider area.

5.0 Policy Context

5.1 National Planning Policy

Section 28 Ministerial Guidelines

The following list of section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities

- Sustainable Urban Housing, Design Standards for New Apartments
- Urban Development and Building Heights, Guidelines for Planning Authorities
- Design Manual for Urban Roads and Streets
- The Planning System and Flood Risk Management (including the associated Technical Appendices)
- Childcare Facilities – Guidelines for Planning Authorities
- Appropriate Assessment Guidelines for Planning Authorities
- Climate Action Plan 2024
- National Biodiversity Action Plan 2023-2030

Other policy documents of note:

- National Planning Framework
- Regional Spatial & Economic Strategy for the Eastern and Midland Region

5.2 Local Planning Policy

Development Plan

The Dún Laoghaire-Rathdown County Development Plan 2022-2028 applies.

Zoning: ‘Objective A’ “to provide residential development and improve residential amenity while protecting the existing residential amenities”. Residential development is permitted in principle under this zoning objective.

Lands to the south of the M50 are zoned ‘Objective B’ which seeks “To protect and improve rural amenity and to provide for the development of agriculture”. In addition, there are two Landscape Character Areas to the south of the M50 (identified in appendix 8 of the CDP) namely Kilmaghogue and Ticknock.

There are a number of policies and objectives in support of residential development within the operative Plan.

It is a Six-Year Road Objective of the County Development Plan to upgrade Harold’s Grange Road/College Road.

Also considered to be of relevance:

Appendix 5: Building Height Strategy

DLR Biodiversity Action Plan 2021-2025

Policy objectives

Policy Objective CA6: Retrofit a Reuse of Buildings It is a Policy Objective to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction as set out in the Urban Design Manual (Department of Environment Heritage and Local Government, 2009). (Consistent with RPO 7.40 and 7.41 of the RSES).

Policy Objective PHP18: Residential Density It is a Policy Objective to:

- Increase housing (houses and apartment supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.
- Encourage higher residential density provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.

Policy Objective PHP20: Protection of Existing Residential Amenity – It is a policy objective to ensure the residential amenity of existing homes in the Built-Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

Policy Objective PHP42: Building Design & Height – It is a policy objective to encourage high quality design of all new development; ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).

Appendix 5 Building Height Strategy

BH3 Building Height in Residual Suburban Areas

It is a policy objective to promote general building height of 3 to 4 storeys, coupled with appropriate density in what are termed the residual suburban areas of the County provided that proposals ensure a balance between the reasonable protection of existing amenities including residential amenity and the established character of the area.

Having regard to the Building Height Guidelines and more specifically in order to apply SPPR3 there may be instances where an argument can be made for increased

height and / or taller buildings in the residual suburban areas. Any such proposals must be assessed in accordance with the criteria set out below in table 5.1 as contained in Section 5. The onus will be on the applicant to demonstrate compliance with the criteria.

Within the built up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.

5.3 Natural Heritage Designation

The subject site is not within or immediately adjacent to any designated or Natura 2000 sites.

5.4 EIA Screening

See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1 Grounds of Appeal

Two third-party appeal submissions were received, which may be broadly summarised as follows:

- Excessive density, height and scale, Impacts on Amenity- excessive density, height and scale; overbearing impact; adverse impact on visual amenity; out of character – PHP18 noted; exceeds existing heights, level difference noted; density of development on already congested roadway; Block B1 to B4 not similar to Phase 1 townhouses; removal of existing trees; would like to see site developed in a manner that is in keeping with its surroundings; disregard of local and national policies; located within peripheral suburban location reliant on cars; adverse impact of trees and vegetation removal
- Traffic safety concerns- road safety issues, impact/adequacy/ of proposed singular vehicular access via existing Grange Hill including sightlines and

capacity of roads to accommodate additional volumes, impact on existing parking; suggests additional vehicular access points onto Harold's Grange Road; danger of provision of second cyclist and pedestrian exit at border of Ancrum/Phase 3; lack of safe crossing/extra safety measures required on Grange Hill Road; traffic accident cited; impacts on parking for Harold's Grange Road due to proposed one-way layout; poor accessibility of the site for pedestrians and cyclists; lack of/inadequate public transport; lack of information regarding construction traffic; poor capacity of existing road infrastructure to accommodate additional development

- Public open space location- open space located towards back of site; traffic/safety concerns due to its location; recommends layout alterations so as to centrally locate open space; existing phase 1 Grange Hill open space is not adequate
- Other Matters- Ancrum currently for sale and potential for phase 4 development should be considered; would welcome completion of existing permission; other concerns relate to impacts on biodiversity, environmental health, drainage
- 'Planning Observation at FI Stage' submitted with Grange Hill Residents' Association submission which raised concerns including concerns about size and scale, inappropriate increase in density, concerns regarding vehicular access and traffic, car parking, visual impacts, contravention of zoning objective.

6.2 Applicant Response

The applicant responded to the appeal submissions, providing comments summarised as follows:

- Planning authority has carried out thorough appraisal,
- Density is acceptable and in line with policy and legislation; planning policy has changed since original permissions were granted; note under-utilised site and emerging pattern of development in area.
- Existing and proposed roads infrastructure provide for safe travel; at pre application stage DLR Roads Dept recommended all vehicular access via existing Grange Hill access due to concerns regarding proximity of new

access to Pine Valley Park junction; existing phase 1 and phase 2 layouts facilitate safe travel through scheme; not agreed pedestrian and cyclist connection at frontage raises safety issue, submitted Public Transport Capacity demonstrates that there is capacity; condition 4 of decision requires path and toucan crossing; construction traffic is to access via the sites existing access at Harolds Grange Road so that construction traffic will not pass through Grange Hill; creche will not generate significant traffic; car parking is acceptable

- Refer to 3D views and visual impact assessment report confirming no significant visual impacts; additional three storeys not imposing; height reduced via condition 2(a);
- Redesign of open space not appropriate; open space is adequate (note development contribution applied in lieu of shortfall of open space however details of calculation not provided, Building Control have no objection to taking in charge area above undercroft and suggest wayleaves may be required)
- Ancrum is in separate ownership – masterplan allows for the development of the overall lands; Block A1 is modified so as to reduce height and bulk in the interests of residential amenity of Ancrum;
- Demolition of Deerfield House is acceptable

6.3 Observations

One observation was received from Tommy McDonald, Ancrum (adjoining property to the east) which is summarised as follows:

- No current permission relating to Ancrum site
- Ancrum has been in separate ownership for many years and concerns that proposal will result in Ancrum site becoming landlocked unless access is provided to roads, drainage and essential services - impacts on development potential of land.

6.4 Planning Authority Response

The planning authority responded indicating that the grounds of appeal do not raise any new matters which would justify a change of attitude to the potential development.

6.5 Further Responses

A further observation was received from Tommy McDonald, Ancrum, as follows:

- Re-iterating previous points - Whilst Ancrum was featured in the original masterplan under D11A/0191, this has now lapsed and there is no current permission. Ancrum is in separate ownership and concern that will be landlocked unless access to services is conditioned.

A further observation was received from an appellant, which may be summarised as follows:

- Re-iterate appeal points, raising again congestion and safety, excessive density and overbearing height, impact on Harolds Grange Road, inconsistent height reductions (corresponding adjustments should be made to reduce height of block A2 and A3), fails to comply with PHP18 of CDP, public transport deficiencies, developers history of non compliance, environmental and construction impacts, supportive of alternative development with reduced density, lower building heights and enhanced design.

7.0 Assessment

7.1 Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal, and inspected the site and having regard to relevant local policies and guidance, I consider that the main issues in the appeal are as follows:

- Principle and intensity of development
- Visual impacts
- Transport considerations
- Public open space
- Other matters

7.2 Principle and intensity of development

7.2.1 This is an application for permission for the demolition of an existing house and for the construction of 73 apartments and a 194sqm childcare facility on a site of 0.93ha. The proposal was amended at further information stage and the number of

apartments was reduced to 71 units and this was further reduced to 67 units at permission stage by condition 2. The site is part of a larger overall development for a larger land parcel in the control of the applicants. Phase 1 is the existing completed Grange Hill which contains 19 houses. Phase 2 is a permitted but not commenced Grange Hill development (ABP311151) for 39 units in three apartment blocks. The proposed development is phase 3. The site adjoins an existing detached house 'Ancrum' to the east which is in separate ownership. The Architectural Design Statement includes a copy of a masterplan that was submitted under previous applications showing an indicative plan for the integrated development of the overall lands including the Ancrum property.

- 7.2.2 The site is located on lands zoned objective A 'to provide residential development and improve residential amenity while protecting the existing residential amenities' in the Dun Laoghaire-Rathdown County Development Plan 2022-2028 (CDP). The proposal for residential development is in accordance with the zoning objective.
- 7.2.3 The development description refers to a proposal to demolish the existing 'Deerfield' house and outbuildings. I note from site visit that the house has already been demolished. I note objective CA6 of the CDP to encourage reuse of existing buildings rather than demolition and reconstruction where possible to reduce overall embodied energy in construction. The former building was located near the centre of the site and incorporating it into a new layout would be challenging. The building is not a protected structure and is not located in an architectural conservation area. The proposal is not for a replacement dwelling and is for a larger redevelopment of the site. I am satisfied that the proposal to demolish one unit and replace with 73 units is a significant intensification of use representing efficient and sustainable use of land and on this basis I consider that the demolition is justified and is acceptable.
- 7.2.4 Third parties have raised concerns that the density of the proposed development is excessive. Policy objective PHP18 of the CDP relates to density and states that it is an objective to increase housing supply and promote compact urban growth through consolidation and re-intensification of infill / brownfield sites having regard to proximity and accessibility criteria. Section 12.3.2.2 of the CDP states that in general density should be determined having regard to Sustainable Residential Development in Urban Areas – Guidelines for planning authorities 2009 and the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for planning

authorities. The 2009 Guidelines for Sustainable Residential Development in Urban Areas has now been replaced with the updated 2024 Compact Settlement Guidelines. The Apartment Guidelines include advice on the identification of types of location and density suitable for apartment development, stating that sites within reasonable walking distance of high frequency urban bus routes are suitable for apartment developments greater than 45 dwellings per hectare.

7.2.5 The 2024 Guidelines on Sustainable and Compact Settlement sets out planning policy requirements to guide the appropriate intensity and scale of development at different locations. The site is at the edge of the Dublin urban area bounded to the south by the M50 beyond which are the Dublin mountain foothills. Table 3.1 of the Guidelines indicates that it is a policy objective that residential densities in the range of 40dph to 80dph shall generally be applied at suburban and urban extension locations and that densities of up to 150dph shall be open for consideration at 'accessible' suburban / urban extension locations. The density ranges are to be refined firstly by accessibility and secondly by their character and amenity impacts.

7.2.6 The applicant has submitted a Public Transport Capacity Assessment report which shows that the site is c. 850m from the closest bus stop on Brehon Field Road which is served by a high frequency urban bus service including the S8 Bus Connects orbital route. I am satisfied that the site is at an 'intermediate location'. The Guidelines state that planning authorities should encourage densities closer to the mid-range at intermediate locations which would therefore be in the order of c. 60dph. The proposed development of 73 units on 0.93ha equates to density of 78 units per hectare. The scheme was amended at further information stage to 71 units at a density of 76 units per hectare. At decision stage, the planning authority omitted a further 4 units at the final permitted scheme of 67 units has a density of 72 units per hectare. All of these densities are within the acceptable range for this location. However, I would note that due to the distance to the urban bus service, the lower density of 67 units which is closer to the 60/ha mid range is more desirable. Determining the appropriate density can be refined further taking account of the character and amenity of the surrounding area.

7.2.7 This area is characterised by a mixture of housing types ranging from the two storey semi detached and detached houses at Pine Valley and Harolds Grange Road, 2-3 storey houses at Grange Hill and Silverton and the higher density apartment

schemes at Taylors Hill containing 4-5 storey apartment blocks and Kingston Hall containing 3-4 storey apartment blocks. Permission has recently been granted for the phase 2 Grange Hill development which contains height ranging from 3 storey fronting Harolds Grange Road to 3-4 storeys over undercroft parking to the rear of the site with a permitted density of 70/ha based on 39 units over 0.555ha. I also note the closest shops and services are c. 10 min walk at Taylors Hotel and c.15min walk to Ballyglen Pharmacy. Marlay Park and Colaiste Naomh Eoin are c 10min walk and the Supervalu at Ballinteer is c 20mins walk.

7.2.8 The blocks are bounded on the west by Silverton and the undeveloped lands behind Silverton, to the south by the M50 and to the east by the detached house Ancrum on a large plot. There is no architectural heritage at the site and the submitted Ecological Impact Assessment report indicates that subject to mitigation, there would be no significant negative impacts on habitats, designated sites or species as a result of the development. There are no significant natural or built heritage constraints on the site.

7.2.9 Having regard to the character of the surrounding built environment including the recently permitted phase 2 Grange Hill development and the impact on the natural environment, I consider that the higher density apartment form to be acceptable and in character with that of the surrounding area and I am of the opinion that the density of the development of the scheme as permitted with the omission of second floor of block A1, at the density of 72 units per hectare is acceptable and in accordance with the Guidelines.

7.2.10 I am also satisfied that the density is in accordance with objective PHP18 of the CDP to promote compact development and to encourage higher densities having regard to the relevant proximity and accessibility criteria.

7.3 Visual impacts

7.3.1 Permission was granted for the development revised at further information stage to setback the 4th and 5th floor of block A1 and subject to condition 2 to omit the second floor of block A1. The planning authority was satisfied that the development with these alterations would address any concerns raised during the assessment process regarding the visual impact of the development on the area and any overbearing / overshadowing impacts on the adjoining Ancrum property. The third parties have

raised concerns in relation to the height and scale of the development and the degree to which it integrates with the character of the area and respects the amenity of the area.

- 7.3.2 I note the objectives in the County Development Plan including objective PHP20 for the protection of the residential amenity of existing homes adjacent to higher density and greater height developments and objective PHP42 to encourage high quality design in new development and to ensure new development complies with the Council's Building Height Strategy. Objective BH3 of the CDP Building Height Strategy states that in residual suburban areas it is an objective to promote heights of three to four storeys coupled with appropriate density and to allow higher heights where this can be supported with a balance between the reasonable protection of existing amenities and the established character of the area.
- 7.3.3 I note the Urban Development and Building Height Guidelines to support increased building heights and density. I also note the Sustainable and Compact Settlement Guidelines which outlines that it is necessary to ensure that the quantum and scale of development integrates successfully into the receiving environment and that new development should respond to the receiving environment in a positive way and not result in significant negative impacts on character, amenity or the natural environment.
- 7.3.4 Within this surrounding area, the site is at a transitional zonal area whereby the site is zoned A residential development and adjoins the M50 motorway, to the south of which the lands are zoned B for rural amenity and agriculture. Section 13.1.2 'Transitional Zonal Areas' of the CDP states that it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land use zones and that in dealing with development proposals in these contiguous transitional zonal areas, it is necessary to avoid developments which would be detrimental to the amenities of the more environmentally sensitive zone. Under the Landscape Assessment of the CDP, these lands to the south of the M50 are within the Kilashogue and Tiknock character areas. Section 4.3.7 of the Council's Building Height Strategy notes that "care should be taken to protect the image of the Dublin Mountains particularly from being spoiled by intrusive development of inappropriate scale, height and massing."

- 7.3.5 The proposed development comprises four three storey 'B' duplex blocks fronting onto Harolds Grange Road and three 'A' apartment blocks arranged around a large central open space area. The three A blocks all have a matching ridge height but due to the change in ground levels have a height of six storeys above ground level at the northern elevation of blocks A1 and A2 and a height of five storeys over undercroft podium at block A3 which is at the southern part of the site where existing ground levels are higher. At further information stage, the design of block A1 was altered and the revised FI drawings show a setback of the 4th and 5th floor from the eastern boundary facing Ancrum. The planning authority continued to be concerned about the visual impact of the development due to the mass of the block as viewed from the north towards the rural lands at the south side of the M50 and the abrupt transition of scale. To reduce the visual impact, the planning authority attached condition 2 which required the omission of the second floor of block A1. I note that the applicant has not appealed this decision.
- 7.3.6 The applicant has submitted a visual impact assessment including photomontages showing the visual impact of the development on the surrounding area. The impact of the development on the surrounding area is also illustrated in site section and contextual elevation drawings.
- 7.3.7 The four B blocks will provide a well defined edge to Harolds Grange Road and have a front and rear elevation that addresses both Harolds Grange Road and the internal access road. I am satisfied that these blocks will positively contribute to streetscape and are an appropriate height and scale in keeping with adjoining Silverton development and the existing and permitted Grange Hill developments fronting Harolds Grange Road.
- 7.3.8 The three A blocks are located towards the central and rear part of the site around the central open space that is atop the undercroft parking podium. The blocks are setback over 35m from Harolds Grange Road behind the front B blocks and at a position behind the rear building line of the adjoining Silverton houses. Internal views on approach from the access road would be of this internal open space where blocks rise three floors from the ground level of the open space and then have a fourth and fifth floor set back. The heights provide enclosure and surveillance and the height and scale of the blocks can be accommodated around this large open space. The applicant has submitted a daylight and sunlight assessment report which

concludes that the development is provided with satisfactory daylight and sunlight in accordance with the relevant standards. This is a well designed layout which promotes a quality living environment for future occupants. The set back of the fourth and fifth floors of the A blocks breaks the mass of the buildings. In addition, there is varying architectural treatment and materials. The form and mass is broken up and I do not consider that the buildings are monolithic.

7.3.9 The M50 marks a clear division and boundary between the urban built up area on its northern side and the rural area and mountain foothills on the southern side. The character of this part of Harolds Grange Road is developing and changing as the land between Harolds Grange Road and the M50 becomes redeveloped more intensively with apartment blocks and newer 2-3 storey houses.

7.3.10 As viewed from the surrounding area, the blocks will be higher than the existing prevailing buildings, however have a similar ridge height to the recently permitted stage 2 blocks. The 3D images submitted at further information stage show the visual impact of the development from the south including from Pine Valley, Pine Valley Park and Meadowbrook pitches. The blocks will intrude on views towards the Dublin foothills, however will not break the skyline. Importantly, the foothills will continue to be visually dominant in views. On approach to the development, the apartments will be visually prominent, however due to the setback from the road, the intervening buildings and vegetation, and the design with the setback of the fourth and first floors, I consider that the scale and height of the apartments can be accommodated.

7.3.11 The Ancrum dwelling is located to the east of the site. There is a distance of c 16m between the eastern side of block A1 and Ancrum. In response to concerns raised by the planning authority at further information stage, the applicant submitted revised plans with the setback of the fourth and fifth floor from Ancrum. This reduces the bulk and height of A1 and I am satisfied that this approach is acceptable and that this will protect the amenity of Ancrum so that the building does not dominate or have an overbearing impact on this property. In terms of overshadowing, the submitted sunlight and daylight impact assessment report assessed the effect of the proposed development on the level of daylight and sunlight received by neighbouring properties and found that all properties presented results in accordance with BRE guideline requirements.

7.3.12 In conclusion, I am satisfied that the height, scale and mass of the proposed development can be accommodated without significant adverse impacts on the character or amenity of the surrounding area. I consider that the proposal is in accordance with the A zoning objective. Furthermore, I consider that the development would be in character with existing and permitted development in this transitional zonal area and that it would not be detrimental to the amenities of the landscape of the 'B' zoned rural lands to the south. I also consider that the development would be in accordance with objective PHP20 and PHP42 in that the development is a high quality design and that the development complies with the Council's Building Height Strategy including objective PHS3 and that the site can accommodate taller buildings and there is a reasonable protection of residential amenity and character of the area.

7.4 Transport considerations

7.4.1 Traffic and car parking

7.4.2 Vehicular access to the proposed development is from the existing entrance to Grange Hill from Harolds Grange Road and via the permitted phase 2 Grange Hill development (ABP311151) which is on lands all within the control of the applicant.

7.4.3 The residents of Grange Hill have raised concerns in relation to the impact that additional traffic from the proposed development including the residential units and creche, would have on the safety and amenity of their existing development.

7.4.4 I note that the masterplan submitted as part of the recently permitted phase 2 development shows the overall lands including Ancrum accessed via the singular existing entrance to Harolds Grange Road at Grange Hill. I also note that the originally permitted scheme D11A/0191, ABP 06D.239837 shows a similar access arrangement, albeit for a smaller number of units. Under D18A/0084, ABP 302089-18, permission was refused by both the planning authority and An Bord Pleanala for an amendment to D11A/0191 to allow for the construction of a second vehicular access into the scheme at Deerfield House. There has always been the expectation that the existing Grange Hill estate entrance and access road would be used to access future developments on the wider landbank and the roads in the Grange Hill estate have been constructed to allow for the extension of the access road into these adjoining lands.

- 7.4.5 The existing phase 1 Grange Hill development is served by 6m wide roads and dedicated footpaths either side of the road. The road has capacity to allow two cars to pass and measures such as tight radii, shared surface paving and raised level speed controls all contribute to slowing speeds. Car parking is provided along the road rather than 'in curtilage' and this acts to further control speeds along the carriageway as drivers anticipate cars entering and existing parking spaces and people entering and existing their cars. I have inspected the existing entrance at Harolds Grange Road and I consider that sightlines in either direction from the entrance and sightlines for cars turning right into the entrance are acceptable. I note that the Council's Transportation Section was generally satisfied with the proposal. I consider that the existing roads and entrance are adequate to accommodate the additional traffic associated with the proposed development without compromising traffic safety.
- 7.4.6 Regarding the capacity of the surrounding road network, Harolds Grange Road is a busy urban road of poor alignment. Along this stretch, speeds are relatively low as drivers anticipate speed bumps and entrances. The Council's Transportation Section considered that there would be no significant impacts on the operating performance of the adjacent regional or local road network. I consider that the surrounding road network has capacity to accommodate additional traffic associated with the proposed development.
- 7.4.7 The proposed development is to be served by a total of 101 parking spaces (96 for block A, B and visitors and 5 for creche) spread across the surface and undercroft areas. It is a specific planning policy requirement of the Sustainable and Compact Settlement Guidelines that in intermediate locations, the maximum rate of car parking provision for residential development shall be two spaces per dwelling where this is justified to the satisfaction of the planning authority. At further information stage, the development contained 71 apartments. Should the number of units reduce to 67, the number of parking spaces proposed in the scheme is below the maximum number that can be considered for this location and therefore the policy requirement is complied with.
- 7.4.8 Active travel

7.4.9 There is no continuous footpath along the southern side of this section of Harold Grange Road. A section of temporary footpath has been constructed along the roadside boundary of the existing phase 1 Grange Hill houses and there is a footpath along the roadside boundary to Silverton. There is a footpath along the northern side of Harold Grange Road. In order to walk to the surrounding area, residents from Grange Hill are required to haphazardly cross the public road to access this footpath on the northern side of the road.

7.4.10 It is a six year road objective in the CDP to upgrade the Harolds Grange Road. Under PC/IC/01/15 the Council received Part 8 approval in June 2016 for the Blackglen Road/ Harold's Grange Road Improvement Scheme. Due to financial constraints it was decided to carry out the construction in two phases with phase 1 being the Ballyglen Road section which is currently nearing substantial completion and the second phase to be the Harolds Grange Road/ College Road section. The internal report from the Transportation Section states that the Harolds Grange Road, College Road is not included in the current three year capital programme so there is no timeline for when construction of the improvement scheme is likely to commence.

7.4.11 To address the lack of pedestrian and cyclist facilities along the road, the Council attached condition 4 which required that the applicant provide a 4m wide shared surface along the roadside boundary to connect to the existing footpath at the western end of the site and to provide a toucan crossing across Harolds Grange Road near the western boundary of the site. Residents from this scheme would be able to walk or cycle directly to the toucan crossing from the connection point at the side of block B4 and could also access the 4m wide path at the eastern boundary from the pedestrian and bike access at the side of block B1. I am satisfied that subject to a similar condition being attached to any permission, that residents would be provided with a safe pedestrian and cyclist connection to the surrounding area. The proposals are acceptable, will provide a safe option for pedestrians and cyclists and will improve overall safety and permeability.

7.4.12 Within the scheme, all residents can access their units and can access the open space via footpaths that are accessible by all. The overall site plan shows connecting footpaths through the overall scheme of the proposed development, existing and permitted Grange Hill developments. In relation to cycle storage, the applicant at further information stage has proposed 165 bike spaces spread throughout the

scheme to be stored within sheffield stands or racks. It is a specific planning policy requirement of the Sustainable and Compact Settlement Guidelines that one cycle storage space per bedroom and additional visitor spaces be provided and that these should be provided within dedicated facilities. I am satisfied that that acceptable provision has been made for cycle facilities in accordance with the Guidelines. Should permission be granted, final details can be agreed prior to development.

7.4.13 I am satisfied that the proposed development would be provided with acceptable walking and cycling facilities and that the scheme would promote active travel by walking, cycling or wheeling and that the design is acceptable in terms of traffic safety.

7.4.14 Connections to surrounding lands

7.4.15 It is proposed to provide an additional connection for pedestrians and cyclists to the adjoining Silverton estate to the west. This provides for a future link to the Silverton estate. In addition, provision has been made on the western boundary at the rear of the site for a possible future vehicular connection to the undeveloped lands to the rear of Silverton. The planning authority attached condition 5(a) and (b) specifying design details for the links. Should permission be granted, it is recommended that a similar condition be attached.

7.5 **Public open space**

7.5.1 The requirements for public open space are set out in Section 12.8.3 of the Development Management Section of the CDP. These require that 15% of the site (1394sqm) be provided as public open space. The CDP states that in addition to public open space, communal open space must also be provided for apartments. The Apartment Guidelines sets out standards for communal open space.

7.5.2 Concerns are raised by the residents of Grange Hill regarding the adequacy of the existing public open space within their existing phase 1 development. A drawing of the overall proposed site plan submitted at further information stage shows the existing and proposed open spaces across phase 1, 2 and 3. It shows that phase 1 Grange Hill was provided with 1761sqm of public open space along the eastern side of the existing houses. This space is raised and landscaped and therefore is of limited use for play, however notwithstanding, it is the permitted public open space

for this first phase. The proposed development does not alter this existing arrangement for the residents of the existing development.

7.5.3 The submitted open space plan shows 620sqm communal open space and 1410sqm public open space within the central public open space. This is large enough to provide for childrens play, it benefits from a southerly aspect, it is within the visual range of the three blocks and is bounded on the southern side by the access road and car parking and will be an attractive space landscaped with planting, outdoor furniture and play equipment.

7.5.4 I am satisfied that the quantity and quality of the proposed public open space and communal open space is acceptable and is in accordance with the standards of the CDP and Apartment Guidelines and will provide an acceptable level of amenity for future residents. The space will also be accessible to existing phase 1 residents and future phase 2 residents and will provide an additional amenity to these other residents.

7.6 Other matters

7.6.1 Section 48 Development Contribution in lieu of public open space – potential new issue

7.6.2 The planning authority attached condition 28 for an additional contribution of €431,250 in lieu of 575sqm of public open space which was not in accordance with the standards.

7.6.3 Section 9.2 Open Space and Parks of the CDP states that in the event of standards set out in tables section 12.8.3 and 12.8.4 regarding public open space provision are not met, an additional contribution in lieu may be attached to any permission by way of planning condition.

7.6.4 The planning authority considered that public open space located above the undercroft car park and in the area associated with the vent of the undercroft car park must be omitted from the public open space calculation. The planning authority had concerns regarding whether the space was suitable for being taken in charge and referred to the requirements of section 12.8.3.1 which states: *“To qualify as public open space the area must be designed and located to be publicly accessible and useable by all in the County; generally free from attenuation measures; and*

capable of being taken in charge (i.e. must accord with the Council policy on taking in charge of open spaces)”.

7.6.5 In their response to the appeal, the applicant has stated that the planning authority have not justified the basis for the contribution, however they have not specifically appealed the condition for the development contribution. The planning authority are satisfied that an additional contribution is required. I note section 12.8.3.1 of the CDP, the Building Control report and the report of the planning authority and there is no evidence to suggest that public open space above undercroft parking is acceptable for taking in charge as per the policy of the CDP. There is no evidence to show that the condition is not reasonable and on this basis, a similar condition is attached.

7.6.6 Future development potential of ‘Ancrum’

7.6.7 An observation has been received from the owners of the Ancrum property adjoining the eastern boundary of the site. The owners raise concerns that the proposed development would ‘landlock’ their property unless access is provided to roads and services.

7.6.8 The adjoining Ancrum property is in separate third party ownership. The property has a front roadside boundary to the public road and is served by its own direct vehicular access. I do not consider that there is any risk that the Ancrum property will be cut-off from the public road or become ‘landlocked’. Any agreements regarding possible future connections to private services or infrastructure would be civil matters and outside the remit of the application.

7.6.9 Environmental and construction impacts

7.6.10 Concerns have been raised by applicants regarding possible impacts during construction. The applicant has submitted an outline Construction and Environmental Management Plan and an Outline Construction Traffic Management Plan outlining proposals for vehicle movements to and from the site. It is proposed that construction traffic will be accessed directly off Harolds Grange Road via the existing Deerfield house access and that construction traffic will not be permitted to use estate roads. The measures put forward in the plan are to reduce adverse impacts on nearby residential properties in terms of noise, dust etc and will

safeguard traffic safety. A condition can be attached to any permission requiring final plans to be agreed with the planning authority prior to development.

The submitted environmental reports indicate that subject to mitigation measures which are proposed and set out, there would be no significant adverse impacts on natural heritage. In addition, a landscaping plan is submitted for planting. I am satisfied that the proposals are acceptable.

7.6.11 Oral hearing request

At final submission stage, the appellant has requested that An Bord Pleanála consider holding an oral hearing for this case. In this regard, no fee has been submitted and no formal request is received.

8.0 AA Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is not located within or directly adjacent to any European site. There is no potential for direct impacts.

The closest European sites are:

- Dublin Bay SAC (000210) located approx. 6.2 km to the north-east
- Wicklow Mountains SAC (002122) located approx. 3.7 km to the south-west.
- Glenasmole Valley SAC (001209) located c 7km to the southwest
- Knocksink Wood SAC (000725) located c 6.7km to the southeast
- Ballyman Glen SAC (000713) located c 8.8km to the southeast
- South Dublin Bay and River Tolka Estuary SPA (004024) located c 6.3km to the northeast
- Wicklow Mountains SPA (004040) located c3.9km to the southwest
- Dalkey Island SPA (004172) located c 10.6km to east
- Rockabill to Dalkey Island SAC (003000) located c10.8km to the east

The proposed development comprises the demolition of a house and the construction of 73 residential units together with site development works. The site is located within an urban area, with front boundary to Harolds Grange Road, rear

boundary to M50 and side boundaries to existing residential development and undeveloped land.

Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European site.

The reason for this conclusion is as follows:

- the nature of the proposed development for the redevelopment of a brownfield site containing an existing house,
- the location of the development in a serviced urban area and the availability of public water and wastewater at the site,
- distance from the European site network,
- absence of ecological or hydrological pathways to a European site

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

9.0 Recommendation

I recommend that planning permission be granted for the proposed development.

10.0 Reasons and Considerations

Having regard to national planning policy including Sustainable Residential Development and Compact Settlement Guidelines 2024 and Urban Development and Building Height Guidelines 2018, the pattern of development in the area including existing and permitted, the residential zoning of the site under the DunLaoghaire-Rathdown County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity; would not lead to the creation of traffic hazard or obstruction of road users; would improve pedestrian permeability within the area and would not be prejudicial to public health. The

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

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 11th day of September 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	The proposed development shall be amended as follows: (a) the second floor of Block A1 shall be omitted Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interests of visual and residential amenity.
3.	Unless otherwise agreed in writing with the planning authority, the developer shall carry out works at their own expense, to provide a minimum 4 metre wide shared surface along the roadside boundary of the site and a toucan crossing on Harolds Grange Road. Final drawings and details of these works shall be submitted for the written agreement of the planning authority prior to commencement of development. Reason: In the interest of traffic, pedestrian and cyclist safety.

4.	Prior to commencement of development, the developer shall submit to the planning authority for their written agreement: (a) Details (plans, sections and elevations at an appropriate scale) of proposed boundary treatments including retaining walls to include height, form and finish. All blockwork walls shall be suitably capped and rendered. (b) Details of the connection in the western boundary of the site to 'Silverton' (c) Details of the connection in the western boundary of the site at the southwestern corner of the development to the adjoining undeveloped lands. (d) Details showing the location of the B blocks including wall and ramp/ steps which shall not encroach on future plans for the improvement of the public road. (e) Details of the play equipment within public open space areas. Reason: In the interests of clarity and proper planning and sustainable development of the area and for sustainable transport and permeability.
5.	The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs, access road and the underground car park shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). Reason: In the interest of amenity and of traffic and pedestrian safety.
6.	The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

	Reason: In the interest of public health.
7.	Prior to the commencement of development the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network. Reason: In the interest of public health and to ensure adequate water/wastewater facilities.
8.	(a) 165 no. safe and secure bicycle parking spaces shall be provided within the site. Provision should be made for a mix of bicycle types including cargo bicycles and individual lockers. Final details of the layout, design of the storage facilities and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. (b) Electric charging points to be provided at an accessible location for charging cycles/scooters/mobility scooters. Details to be submitted to and agreed in writing with the planning authority. Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.
9.	All the communal parking areas serving the residential units shall be provided with functional electric vehicle 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 transportation.

10.	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.
11.	Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees within the landscape plan drawing no.1907_PL_P_02. Such lighting shall be provided prior to the making available for occupation of any residential unit. Reason: In the interest of amenity and public safety.
12.	Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
13.	The landscaping scheme shown on drawing number 1907_PL_P_02, as submitted to the planning authority on the 24th day of November, 2023 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

	Reason: In the interest of residential and visual amenity.
14.	Prior to commencement of development, an arborist report shall be submitted and agreed in writing with the planning authority outlining measures for the protection of existing trees along the boundary of the site to the M50 road which may be impacted by the development. Reason: To facilitate the identification and protection of trees along the site boundary in the interest of visual amenity.
15.	The mitigation measures contained in the submitted Ecological Impact Assessment Report submitted 11th September 2024 to the planning authority, shall be implemented. Reason: To protect ecology and biodiversity
16.	Prior to the operation/occupation of the proposed development any noise mitigation measures specified in the submitted Planning Stage Acoustic Design Statement prepared by Amplitude Acoustics dated 29/08/2024 shall be constructed and completed in accordance with the proposed scheme. Reason: In order to protect the residential amenities of property in the vicinity.
17.	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 for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and 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.
18.	Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority. Reason: To safeguard the amenity of property in the vicinity.
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) Provision of parking for existing properties during the construction

	period; (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; (k) 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; (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. (n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority. Reason: In the interest of amenities, public health and safety and environmental protection.
20.	Not more than 75% of residential units shall be made available for occupation before completion of the childcare facility unless the developer can demonstrate to the written satisfaction of the planning authority that a childcare facility is not needed (at this time). Reason: To ensure that childcare facilities are provided in association with residential units, in the interest of residential amenity.
21.	Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

	Reason: In the interest of urban legibility.
22.	The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: To ensure the satisfactory completion and maintenance of this development.
23.	Prior to commencement of development, the applicant 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 transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall 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 for the area.
24.	(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such

	agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing. (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing. (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit. Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.
25.	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.
26.	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.
27.	The developer shall pay to the planning authority a financial contribution of €431,250.00 as a contribution lieu of the public open space requirement in respect of public open space benefitting the development in the area of the planning authority is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the adopted 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 indexation provisions of the Scheme at the time of payment.
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Reason:

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

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

Aisling Mac Namara

Planning Inspector

07/02/2025

Form 1

EIA Pre-Screening

An Bord Pleanála	321164		
Case Reference			
Proposed Development Summary	Demolition of dwelling, construction of 73 residential units and a childcare facility in seven apartment blocks, access from existing access at Harolds Grange Road D11A/0191 via phase 2 permitted D20A/0746, associated site works.		
Development Address	Deerfield House, Harold's Grange Road, Dublin 18		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	x	Class 10(b) of Part 2, Schedule 5 (i) Construction of more than 500 dwelling units (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)	Proceed to Q3.
No			No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes		State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	x		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	x	73 dwelling units on 0.93ha	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	x	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	321164
Proposed Development Summary	Demolition of dwelling, construction of 73 residential units and a childcare facility in seven apartment blocks, access from existing access at Harolds Grange Road D11A/0191 via phase 2 permitted D20A/0746, associated site works.
Development Address	Deerfield House, Harold's Grange Road, Dublin 18
The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	- Proposed residential use is compatible with existing uses in the surrounding area, - Modest size site - Modest scale and intensity of development in this urban context in combination with D11A/010191 and D20A/0746, - No significant use of natural resources or production of waste - No significant risk of pollution or nuisance, - No significant risk of accidents/ disasters to human health
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	- Brownfield/ infill site within existing built up area - Serviced and zoned urban area - not within or adjacent to any Natura 2000 sites, pNHA or NHA - no surface water bodies - no national monuments, protected structures or ACA - not a sensitive landscape - locally significant ecology

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		Having regard to the following: - nature and size of the development, - lack of significant environmental sensitivities on the site, - limited magnitude and intensity and complexity of effects, - local spatial extent of effects, - landscaping plan and mitigation measures and enhancement for mammals, bats and birds - short term temporary nature of construction impacts including mitigation measures set out in CEMP, - absence of significant in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	
There is no real likelihood of significant effects on the environment.	EIA is not required.	X
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	
There is a real likelihood of significant effects on the environment.	EIAR required.	

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)