



An
Bord
Pleanála

Board Direction
BD-001301-18
ABP-301821-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/10/2018.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the Dun Laoghaire County Development Plan 2016 to 2022, and to the established use of the site, it is considered that the development proposed to be retained is ancillary to the established public house use and, subject to compliance with the conditions set out below, that it would not give seriously injure the amenity of adjoining residential property, and would not constitute a traffic hazard. The development proposed to be retained would, therefore, accord with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission for retention of the bin store, the Board considered the applicant's proposal to provide for ventilation of this structure to be acceptable.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 23rd

day of April 2018, 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.

Insert P.A. conditions 2, 3, 4, 5 & 6

7. Water supply and 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.

8. 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. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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: 09/10/2018

John Connolly