



An  
Bord  
Pleanála

**Board Direction**  
**ABP-302825-18**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/04/2019.

The Board decided, as set out in the following Order, that

Board Order as follows:-

**WHEREAS** a question has arisen as to whether the use of part of approved building space for exhibition and museum known as Bram Stoker Castle Dracula is or is not development or is or is not exempted development:

**AND WHEREAS** Templeville Development Ltd. requested a declaration on this question from Dublin City Council and the Council issued a declaration on the 24<sup>th</sup> day of September, 2018 stating that the matter was development and was not exempted development:

**AND WHEREAS** Templeville Development Ltd. referred this declaration for review to An Bord Pleanála on the 19<sup>th</sup> day of October, 2018:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,

- (d) article 6(1) and article 10 of the Planning and Development Regulations, 2001, as amended,
- (e) Parts 1 and 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site:

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) The change of use is considered a material change of use having regard to the impact on the proper planning and sustainable development of the area and is therefore development,
- (b) The use of part of the approved tennis court as a museum, known as the Bram Stoker Castle Dracula Museum, would not be ancillary to the established use of the building but would be a separate and substituting use,
- (c) The museum use does not come within Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) The change of use proposed is not within any one of the classes of use specified in Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (e) There are no exemptions provided in the Planning Acts and Regulations by which the development would constitute exempted development,

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the use of part of approved building space for exhibition and museum known as Bram Stoker Castle Dracula, at the West Wood Club, Clontarf, Dublin 3, is development and is not exempted development

**Board Member:**

**Date:** 16/04/2019

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John Connolly