



An
Bord
Pleanála

Board Direction
BD-004054-19
ABP-304197-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/09/2019.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the development for which permission and retention permission is sought, would not seriously injure the residential amenities of the area or the amenities of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 19th day of February 2019, 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. Permission for the use of the premises as a dog day care and dog grooming facility is granted for a limited period of three years from the date of this Order, at which date the use shall cease unless a subsequent permission for the continuance of the use has been granted before the expiry date of this permission.

Reason: In the interests of the proper planning and sustainable development of the area, and so that the effect of the development may be reviewed having regard to the circumstances then prevailing.

3. The dog grooming service shall comply with the following requirements:
 - (a) The hours of operation shall be between 09.30 and 18.00 hours, Monday to Saturdays only and not at all on Sundays or public holidays.
 - (b) No more than five dogs attending the premises for the purpose of the grooming service, shall be present on the premises at any one time.
 - (c) No dogs attending the grooming service shall be allowed to access the dog day care facility during their visit.
 - (d) No dogs shall be accommodated on site overnight.

Reason: In the interests of residential amenity and orderly development.

4. The dog day care service shall comply with the following requirements:
 - (a) The hours of operation shall be between 08.00 and 18.00 hours, Mondays to Fridays only and not at all on Saturdays, Sundays or public holidays.
 - (b) No more than five dogs attending the premises for the purpose of the day care service, shall be present on the premises at any one time.
 - (c) No dogs shall be accommodated on site overnight.

Reason: In the interests of residential amenity and orderly development.

5. The existing laneways to the side (north) and rear (west) of the site shall not be used for access to either the dog grooming or dog day care facilities. All access shall be via the front of the building from Rosemount Avenue.

Reason: In order to safeguard the residential amenities of the area.

6. (a) Receptacles for waste shall be provided in the location indicated on the ground floor plans submitted to the planning authority on the 19th day of February 2019 and no waste receptacles shall be placed or stored between the front of the building and the road, or in the laneways to the side (north) and rear (west) of the site.

(b) The developer shall enter into a contract with a waste collection company that is suitably licenced and qualified for the collection of animal waste.

Reason: In the interest of public health and the visual amenities of the area.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. 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.

9. Within six months of the date of this Order, 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: 17/09/2019

Chris McGarry