

An
Bord
Pleanála

Board Direction
BD-014836-23
ABP-314484-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/12/2023.

The Board considered the portion of the application that had been refused by the Planning Authority and decided to grant permission.

Additional conditions were considered appropriate for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

In deciding not to accept the Inspector's recommendation to refuse permission, the Board were mindful of and shared the opinion of the Planning Authority:

1. That this is a leisure facility.

However the Board decided that:

2. That Section 13.1.5. of the County Development Plan 2022-2028 states "uses which are not indicated as 'Permitted in Principle' or 'Open for Consideration' will not be permitted. There may, however, be other uses not specifically mentioned throughout the use tables, that may be considered on a case-by-case basis in relation to the general policies of the Plan and to the zoning objectives for the area in question' and that this allows the application to be

considered and not be automatically considered to be a material contravention.

3. That the purpose of the zoning is to “preserve and provide open space with ancillary active recreation amenities” and that the application was for a change of use of an existing, established, commercial activity which is associated with a major leisure facility, that the change of use would not adversely impact as the development would have no impact on public open space.
4. That Specific Local Objective No. 49 supports the application for Change of Use, by explicitly seeks to “support the status of and continued viability of Leopardstown Racecourse as one of Europe’s premier racetracks and a major leisure facility in the county by encouraging it’s future development and facilitating the development of supporting facilities.”


The Board decided that the totality of the County Development Plan 2022-2028 including Section 13.1.5 and Specific Planning Objective 49 that the application could be considered within the current zoning and that the proposed development would not adversely impact the zoning objective.

Conditions

1. Please include PA conditions 1 -5 as per grant P/1496/22 of the 03rd August 2022.
2. Condition relating to Development contribution scheme.
3. The restaurant shall open no earlier than 10.00 and close no later than 00.30 hours on Thursdays, Fridays and Saturdays and no later than 00.00 hours on any other day. No ancillary food delivery or collection services shall operate from the premises after these closing times.

Reason: In the interest of residential amenity.

Board Member



Liam Bergin

Date: 11/12/2023