

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

South Dublin County

Planning Register Reference Number: SD15A/0258

An Bord Pleanála Reference Number: PL 06S.246072

APPEAL by Dermot Daniels care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 18th day of December, 2015 by South Dublin County Council to grant subject to conditions a permission to Maryphad Limited care of Killiney Design Associates of Temple Court, Temple Road, Blackrock, County Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of existing unoccupied building to function room and the extension of this building (50 square metres) consisting of new kitchen and toilet facilities all on the site of The Salmon Leap Inn, Cooldrinagh, Leixlip, County Dublin, a protected structure.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the established pattern of development in the area and the existing use on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not adversely affect the character of the protected structure, would be acceptable in terms of traffic safety and convenience and would not, therefore, be contrary to 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 received by the planning authority on the 28th day of August 2015, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. (a) The proposed development shall operate only Monday–Sunday during the hours of 12.00-23.00 hours and shall be ancillary to the use of the adjoining public house.

(b) The proposed change of use shall operate as a function room only, and no further change of use shall take place unless authorised by a prior grant of planning permission.

Reason: In the interest of residential amenity.

3. No advertisement or advertisement structure other than those shown on the drawings submitted with the application shall be erected or displayed on the building in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the 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.

5. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

6. Prior to the commencement of the development, the developer shall submit to and agree in writing with the planning authority, full details of fenestration design and specification.

Reason: In the interests of visual amenity.

7. 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.