

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Dún Laoghaire-Rathdown County

**Planning Register Reference Number: D16A/0150**

An Bord Pleanála Reference Number: PL 06D.246620

**APPEAL** by Seamus and Helen McGardle of Wakefield House, 40 Booterstown Avenue, Dublin against the decision made on the 29<sup>th</sup> day of April, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Spirit Level Limited care of Kane Architecture of 132 Lower George's Street, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Change of use of existing first floor residential area to guest house facilities providing 10 guest rooms with associated ensuites and for first floor extension over existing restaurant portion to create six number new guest rooms and for the provision of a new lift and stairs and reception to rear of existing public house at Gleasons of Booterstown, 44 Booterstown Avenue, Booterstown, County Dublin.

### 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 provisions of the Dún Laoghaire Rathdown County Development Plan 2016-2022, to the scale and nature of the proposed development, to the pattern of development in the area and to the nature and character of the surrounding environment, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location and would not seriously injure the visual or residential amenities of the area or of property in the vicinity. The proposed development would, therefore, 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, 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. Prior to commencement of development, revised drawings shall be submitted to the planning authority which provide for the following:
  - (a) The balcony to Bedroom number 16 shall be omitted.
  - (b) A privacy screen shall be provided at first floor level to the courtyard area and along the eastern perimeter of the building.
  - (c) The feature window to Bedroom number 12 shall be fitted with obscured or reflective glazing.
  - (d) The layout of the car park shall be revised to incorporate one parking bay for people with disabilities, one number motorcycle parking space, four number cycle parking spaces and three number parking bays which are capable of accommodating future electric charging points.

The revised drawings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the amenities of the area.

3. No access shall be permitted to any of the flat roofs or courtyards at first floor level, save for maintenance.

**Reason:** In the interest of protection of residential amenity.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

5. Details of all external signage shall be submitted to the planning authority prior to commencement of development on the site. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the building or within the curtilage of the site unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

6. A plan containing details for the management of waste within the development, including the provision of facilities for its storage, separation and collection shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste, in the interest of protecting the environment.

7. 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:** To ensure adequate servicing of the development, and to prevent pollution.

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, 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.**