



An
Bord
Pleanála

Board Order

PL 06D.248330

Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0938

Appeal by David Whelan care of McGill Planning Limited of 1st Floor, 7 Fitzwilliam Street Upper, Dublin against the decision made on the 16th day of March, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Joe Cully care of Architectural Construction Technology of An Tigh, Ballyogan Avenue, Carrickmines, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Sub-division of the existing two-storey comfort furniture shop to locate the furniture shop on the first floor and a change of use for a portion of the ground floor into a coffee dock/deli at the Dwarf Oak Shopping Centre, Church Road, Ballybrack Village, 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 zoning objectives for the area, to the nature and extent of the development proposed and to the pattern of land use in the vicinity, 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 and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars received by the planning authority on the 23rd day of February, 2017, 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. 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. A grease trap shall be fitted on the kitchen drain to the satisfaction of the planning authority.

Reason: In the interest of public health and to ensure a proper standard of development.

3. Four number bicycle parking spaces shall be provided for staff and customer use. The layout and demarcation of these spaces and the proposed bicycle stand design shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

4. 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 buildings, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

5. The coffee shop/deli shall only be used between 0800 hours and 2000 hours.

Reason: In the interest of residential amenity.

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

Dated this day of 2017