



An  
Bord  
Pleanála

**Board Order**  
**PL 29N.248522**

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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4196/16**

**Appeal** by Peter Parkin of 109 Clontarf Road, Dublin against the decision made on the 21<sup>st</sup> day of April, 2017 by Dublin City Council to grant subject to conditions a permission to Clontarf Baths and Assembly Rooms Company Limited care of Noonan Moran Architecture of 139 Baggot Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Modifications to previously approved single storey restaurant and café Bar (planning register reference number 2975/11, An Bord Pleanála reference number PL 29N.240131) to include a single storey extension to accommodate additional restaurant storage and staff facilities (37.7 square metres) with associated internal alterations, all at Clontarf Baths, Clontarf Road, 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 nature of the alterations to the permitted development and the limited scale of the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be likely to lead to a risk of flooding and would not seriously injure the visual or recreational amenities of the area or the amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board adopted the Inspector's report in relation to Appropriate Assessment screening and concluded that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European Site and concluded that a Stage 2 Appropriate Assessment (and submission of a Natura impact statement) is not, therefore, required.

## Conditions

1. The proposed 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 to the planning authority on the 27<sup>th</sup> day of March, 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. Other than the alterations indicated on submitted drawings, the development shall be carried out and completed in accordance with the previous permission, granted under planning register reference number 2975/11, An Bord Pleanála reference number PL 29N.240131.

**Reason:** In the interest of clarity.

3. (1) 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.  
  
(2) Details in relation to the integration of the applicant's proposed flood defence structures (including flood gates and walls) with those proposed and approved by Dublin City Council shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (3) Given the public nature of the building, the applicant shall ensure a flood Response Plan is in place in the event of high tide alerts.
- (4) The applicant, shall, at their own expense, maintain/repair any flood defences for the proposed development at the request of the planning authority.
- (5) All internal basement drainage shall be pumped to a maximum depth of 1.5 metres below ground level before being discharged by gravity from the site to the public foul sewer. All underground structures shall be constructed to be watertight and therefore, eliminate the requirement to discharge groundwater.
- (6) All private drain fittings such as downpipes, gullies, manholes and Armstrong junctions shall be located within the final site boundary. Private drains shall not pass through property they do not serve.
- (7) A Class 1 Light Liquid Separator, in accordance with the latest European Standards, shall be installed at a suitable location on the private drainage system before discharging to the surface water system or direct to water.
- (8) A grease trap shall be installed on the waste outlet from sinks of all commercial kitchens.

**Reason:** In the interest of orderly development, flood management and public health.

