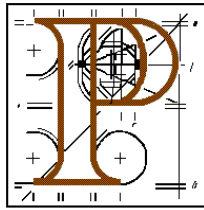


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D17A/0965**

An Bord Pleanála Reference Number: ABP-300743-18

**APPEAL** by Gracie Barrie Dublin Limited care of Thornton O'Connor of 1 Kilmacud Road Upper, Dundrum, Dublin against the decision made on the 15<sup>th</sup> day of December, 2017 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**PROPOSED DEVELOPMENT:** Development at the first floor consisting of the material change of use of the first floor level of the building from office use to sports and recreation use, namely a Jiu Jitsu gym. The works will consist of internal reconfiguration to the existing layout, along with the construction of an accessible lift at the front entrance of the structure, development all at 28 Corrig Road, Sandyford Business Park, Dublin.

## DECISION

**GRANT** permission for the above proposed development in accordance with the plans and particulars lodged with the said council, 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 open space zoning objective for the site as set out in Sandyford Urban Framework Plan in the Dún Laoghaire-Rathdown County Development Plan, 2016 – 2022 and to the nature of the proposed development within the envelope of an existing building, it is considered that, subject to compliance with the conditions set out below, the proposed development would not prejudice the delivery of the Sandyford Business District Civic Park at this location as set out under Specific Local Objective 119, would not seriously injure the amenities in the vicinity of the site and would 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. The proposed hours of operation of the gym shall be between 0630 hours and 2200 hours Mondays to Fridays inclusive and between 0800 hours and 2200 hours at the weekend and public holidays.

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

3. Details of any signage including method of illumination shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the visual amenities of the area.

4. Water supply and drainage arrangements, including the attenuation and 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. (1) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-
  - (a) An Leq,1h value of 55 dB(A) during the hours of operation provided for in condition number 2 above.
  - (b) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component. At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.
- (2) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

6. Site development and building works shall be carried out between 0700 hours and 1800 Mondays to Fridays inclusive, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

7. Prior to occupation of the development, the developer shall provide seven number secure, covered bicycle spaces in accordance with the requirements of the Dún Laoghaire-Rathdown County Council Standards for Cycle Parking and Associated Cycling Facilities for New Developments.

**Reason:** In the interest of the proper planning and sustainable development of the area.

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

**Dated this            day of            2018.**