



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 0338/18

WHEREAS a question has arisen as to whether the use of part of approved building space for exhibition and museum known as Bram Stoker Castle Dracula at West Wood Club, Clontarf, Dublin is or is not development or is or is not exempted development:

AND WHEREAS Templeville Developments Limited care of K and B Architecture and Design of 2 Ridgeway Villas, Kilmainham Lane, Dublin requested a declaration on this question from Dublin City Council and the Council issued a declaration on the 25th day of September, 2018 stating that the matter is development and is not exempted development:

AND WHEREAS Templeville Developments Limited referred the declaration for review to An Bord Pleanála on the 19th day of October, 2018:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(1) and Article 10 of the Planning and Development Regulations, 2001, as amended,
- (e) Parts 1 and 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and
- (f) the planning history of the site:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the change of use is considered a material change of use having regard to the impact on the proper planning and sustainable development of the area and is, therefore, development,
- (b) the use of part of the approved tennis court as a museum, known as the Bram Stoker Castle Dracula Museum, would not be ancillary to the established use of the building but would be a separate and substituting use,
- (c) the museum use does not come within Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (d) the change of use proposed is not within any one of the classes of use specified in Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and
- (e) there are no exemptions provided in the Planning and Development Acts or the Planning and Development Regulations by which the development would constitute exempted development:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the use of part of approved building space for exhibition and museum known as Bram Stoker Castle Dracula at West Wood Club, Clontarf, Dublin is development and is not exempted development.

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.

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

Dated this day of 2019.