



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0894

Appeal by Anne Carmody of “Merton”, 11 Dundrum Road, Windy Arbour, Dublin against the decision made on the 25th day of January, 2019 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Boley View Limited care of Mary-Anne Parsons of 5 Stable Lane, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: A change of use from office and public house to office and hostel at lower ground floor level, a change of use from public house to hostel at ground floor level and a change of use from residential to hostel at first floor level. The proposed development will include internal alterations to facilitate the provision of a communal kitchen and a communal sitting room, bicycle storage and laundry room, reception room and an office at lower ground floor level, provision of 11 number single bedrooms with own bathroom, two number two bedroom suites consisting of one single bedroom, one double bedroom and a bathroom, a caretaker's accommodation with kitchenette and bathroom at first floor level, elevational changes to accommodate change of use, additional windows and revised window

arrangements, together with associated site works, all at the public house previously known as The Corner House, Dundrum Road and Farrenboley Park, Windy Arbour, 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 'Objective A' zoning of the subject site, the pattern of development in the area, the established use on the site and the scale and design of the proposed development, 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 of the 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 as amended by the further plans and particulars submitted on the 21st day of December, 2018, 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 hostel use hereby approved shall be used for tourist purposes only and on a short term basis, that is, maximum length of stay shall be no longer than 1 month and shall not be used for the provision of homes or accommodation for persons in a care setting, as an institutional hostel or in social support of persons, or for students without a prior grant of planning permission.

Reason: In the interest of clarifying the scope of the permission

3. Details of all external lighting and externally visible advertising signs, symbols and nameplates shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

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

6. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of amenities and public safety.

7. 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 the 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.

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

Dated this day of 2019.