



Planning and Development Acts 2000 to 2019

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/1123

Appeal by POD Marine Limited care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 10th day of April, 2019 by Dún Laoghaire-Rathdown County Council in relation to the application for permission for development comprising retention permission for 750 millimetres high section of rendered blockwork wall and signage along southern site boundary and permission for the proposed construction of one number single-storey building (circa 345 square metres) consisting of boat engine showroom, storage and workshop at ground level and office space at mezzanine level, proposed vehicle and pedestrian access gates and wall signage on southern boundary, one number proposed signage tripod, proposed sections of 1.4 metre high perforated metal wall signage along eastern and northern site boundaries, proposed ancillary landscaping and drainage works and for the removal of existing entrance gates and frame posts on southern boundary, existing barbed wire and metal brackets along eastern boundary and existing block work walls and concrete pad within site, all at West Pier Road, Dún Laoghaire, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for retention of 750 millimetres high section of rendered blockwork wall and signage along southern site boundary and to refuse permission for the proposed construction of one number single-storey building (circa 345 square metres) consisting of a

boat engine showroom, storage and workshop at ground level and office space at mezzanine level, proposed vehicle and pedestrian access gates and wall signage on southern boundary, one number proposed signage tripod, proposed sections of 1.4 metre high perforated metal wall signage along the eastern and northern site boundaries, proposed ancillary landscaping and drainage works and for the removal of existing entrance gates and frame posts on southern boundary, existing barbed wire and metal brackets along eastern boundary and existing blockwork walls and concrete pad within site).

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 its nature, scale and use and to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, the Board considered that, subject to compliance with the conditions as set out below, the proposed development would not endanger public safety by reason of traffic hazard or obstruction of road users or otherwise and would not set an undesirable precedent at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied having regard to the limited nature and scale of the proposed development that the proposed development would not endanger public safety by reason of traffic hazard or obstruction of road users or otherwise and would not set an undesirable precedent at this location and would in fact contribute positively to the Zoning Objective Number 14 for the site.

Conditions

1. The development shall be retained, 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 14th day of March, 2019, 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. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interest of visual amenity.

3. 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.

4. Details of all signage shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interest of visual amenity.

Paul Hyde

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

Dated this day of 2019