



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D19A/0947

Appeal by Ned Tobin of 67 Thomastown Road, Killiney, County Dublin against the decision made on the 7th day of February, 2020 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Lapetus Investments Limited care of Raeside Architects of 1 Glenburgh Terrace, Lower Dargle Road, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) Removal/deletion of condition number 2 of the grant of planning permission register reference number D18A/0078, final grant number, P/2128/18, approval date 6th September 2018. (2) Redesign of the ground floor entrance foyer internal area by the deletion of the ground floor restaurant and food vending café elements of the above-described approved development and its substitution by a "food court" element, all at the Ferry Terminal Building and adjacent lands, Saint Michael's Pier, Harbour Road, Dún Laoghaire, County Dublin, which is within a candidate Architectural Conservation Area and in proximity to protected structures.

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 Dún Laoghaire-Rathdown County Development Plan 2016-2022, the planning history of the site and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not give rise to traffic hazard and would, otherwise, be in accordance with the provisions of the development plan. 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, 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 terms and conditions of the parent permission granted for the development under planning register reference number D18A/0078 shall be complied with, unless they are modified by the terms and conditions of this permission.

Reason: In the interest of clarity.

3. The period during which the development hereby permitted may be carried out shall be 15 years from the date of this Order.

Reason: Having regard to the nature of the proposed development, the Board considered it reasonable and appropriate to specify a period of the permission in excess of five years.

Paul Hyde

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.