



Planning and Development Acts 2000 to 2020

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D20A/0454

Appeal by David Coolican of Dunluce, Churchtown Road Upper, Churchtown, Dublin and by others against the decision made on the 24th day of August, 2020 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission to Darjan Limited care of G. Davenport Architecture and Design of Mooretown, Ratoath, County Meath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for temporary development consisting of a temporary change of use from outdoor car parking area to outdoor seating area for the pub to comply with Social Distancing requirements as defined by Department of Health and the HPSC at the The Bottle Tower Licensed Premises, Corner of Beaumont Avenue and Churchtown Road Upper.

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 location of the proposed development in an area zoned NC neighbourhood centre for which the objective is “to protect, provide for and/or improve mixed use neighbourhood centre facilities” as set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022, and the modest nature of the proposed change of use of an existing car parking area to outdoor seating, it is considered that the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of traffic safety and convenience, would not seriously injure the visual or residential amenities of the area and would comply with the zoning objective set out in the Development Plan. The proposed development 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. This planning permission shall cease to have effect one year from the date of this order.

Reason: To allow the planning authority to monitor the implementation and adherence to the conditions set out in this grant of planning permission.

3. Provision shall be made for a deliveries/loading bay on Beaumont Avenue. Prior to commencement of the use, details of the bay dimensions and road markings shall be submitted to, and agreed in writing with, the planning authority.

Reason: To ensure a satisfactory layout for commercial vehicles, in the interest of traffic safety.

4. No music or amplified sound shall be audible outside the premises in such a manner as to cause nuisance to the occupants of nearby property.

Reason: In the interest of amenity.

5. The hours of operation shall be between 1200 hours and 2300 hours Monday to Friday and between 1200 hours and 2200 hours on Saturday and Sunday.

Reason: In the interest of the residential amenities of property in the vicinity.

Paul Hyde

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

Dated this day of 2020.