



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0833

Appeal by David Doyle and Ken Roe care of Armstrong Planning Limited of 12 Clarinda Park North, Dun Laoghaire, County Dublin and Carmanor Management Company Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 15th day of February, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to XH Sunflower Limited care of Keenan Lynch Architects of 4 Herbert Place, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Part change of use of an existing permitted retail unit (233 square metres) (registration reference D06A/0740), to retail use with ancillary off licence sales (19.89 square metres) and a new signage associated with the unit, and other minor ancillary works at Unit 2, The View, Carrickmines Manor, Glenamuck Road, Dublin, as amended by the further public notice received by the planning authority on the 27th day of January, 2021.

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 pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the Ballyogan and Environs Local Area Plan 2019-2025, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would not be prejudicial to public health. 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 27th day of January 2021, 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 all external signage and finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenities.

3. 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.

4. Opening hours of the hereby permitted development shall be confined to between 07.30am to 10.00pm Monday to Saturday and 08.00am to 10.00pm Sunday and Bank Holidays.

Reason: In order to limit the hours of operation and in the interest of protecting the amenities of adjoining properties.

5. Details of the four number cycle parking spaces, spacing and location shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of promoting sustainable modes of transport.

