

An  
Bord  
Pleanála

Board Order  
ABP-312790-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3906/21**

**Appeal** by Jean Costello care of RW Nowlan and Associates of 37 Lower Baggot Street, Dublin against the decision made on the 21<sup>st</sup> day of January, 2022 by Dublin City Council to grant subject to conditions a permission to Maeve Walsh care of Robert Lally of 6 Cuirt Cherin, Circular Road, Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of a new revised glazed shopfront with a single door, construction of a single storey pitched roof extension to the rear of the existing building for storage, incorporating a new smaller roller shutter type access door and pedestrian gate onto the rear lane and to change the use from vacant financial commercial unit on the ground floor of this three-storey mid-terrace building to a pet related retail/reception to the front of the unit and veterinary clinic to the rear of the existing unit and associated internal modifications at ground floor unit, 8 Main Street, Donnybrook, 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.**

## **Reasons and Considerations**

Having regard to the location of the site within the village of Donnybrook and the Z4 zoning provisions for the area, the objective for which is to provide for and improve mixed service facilities, it is considered that, subject to compliance with the conditions set out below, the proposed development would be compatible with the zoning provisions for the area and would add to the diversity of uses within the area, would not seriously injure the character of the area or the amenities of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. 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. No animals shall be kept on the premises overnight unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of protecting the amenities of property in the vicinity.

3. The operating hours of the veterinary clinic and associated retail area shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of protecting the amenities of property in the vicinity.

4. The proposed shopfront shall be provided in accordance with the following requirements:
  - (a) Signs shall be restricted to a single fascia sign in hand-painted lettering or individually mounted lettering.
  - (b) Lighting of the fascia and shopfront shall be by means of external illumination only.
  - (c) 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 building, unless authorised by a further grant of planning permission.

- (d) No adhesive material shall be affixed to the windows or the shopfront.
- (e) An external roller shutter shall not be erected, any internal shutter shall be only of the perforated type, coloured to match the shopfront colour

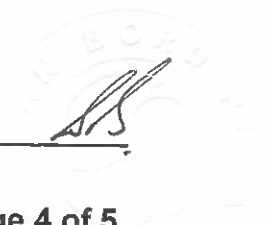
**Reason:** In the interest of visual amenity.

- 5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

- 6. Waste within the development, including the provision of facilities for the storage, separation and collection of the waste and recyclable materials shall be in accordance with the requirements of the planning authority. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To provide for the appropriate management of waste and recyclable materials.

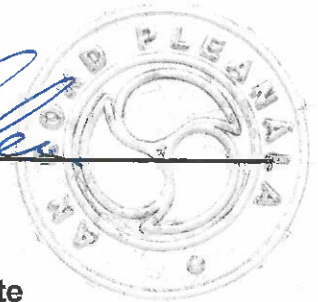


7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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.

  
Stephen Bohan

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



Dated this 3<sup>rd</sup> day of May 2022.