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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dun Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D22A/0044**

**Appeal** by John Lee of Leighton, Upper Churchtown Road, Dublin and by David Coolican and others care of David Coolican of Dunluce, Churchtown Road Upper, Dublin against the decision made on the 16<sup>th</sup> day of March, 2022 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Darjan Limited care of G. Davenport Architecture and Design of Coranna, Mooretown, Ratoath, County Meath in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** New entrance door with lobby and a new window to existing north elevation, part demolition of existing cold store and relocation of service doorway. Alterations to internal ground floor layout, including new toilet block with windows and all associated works. Erection of new boundary walls with piers, railings, gateways, and planting screen to northern, western, and eastern site boundaries to include new covered and secure long and short stay bicycle parking bays with adjacent cycle facilities. A new outdoor seating area. New screened and covered bin storage area to north elevation. Retention permission is also sought for a fixed sign with stone plinth to north-western corner of the site, all at The Bottle Tower Pub, Corner of Beaumont Avenue and Churchtown Road Upper, 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 proposed development in an area zoned 'NC' (neighbourhood centre) with the objective 'to protect, provide for and/or improve mixed use neighbourhood centre facilities' in the Dun Laoghaire-Rathdown County Development Plan 2022-2028, and the modest nature of the proposed change of use of an existing car parking area to outdoor seating, it is considered that, subject to compliance with the conditions set out below, the proposed development would not endanger public safety by reason of traffic hazard, would not seriously injure the visual or residential amenities of the area, would be in accordance with the zoning objective, as set out in the current development plan for the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area. The Board noted the five-year limit proposed by the planning authority but considered it would have limited value and was not warranted in this instance, given the modest scale of the proposed development.



## Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Provision shall be made for a deliveries/loading bay on Beaumont Avenue. Prior to commencement of the use permitted by this grant of permission, 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.

3. 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 residential amenity.

4. The hours of operation of the outdoor seating area shall be between 1200 hours and 2300 hours Monday to Friday and between 1200 hours and 2200 hours on Saturday and Sunday.

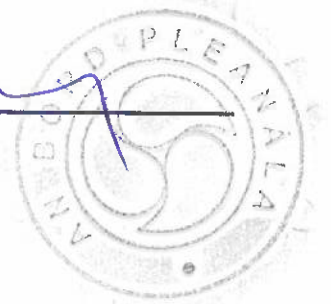
**Reason:** In the interest of the residential amenities of property in the vicinity.



**Martina Hennessy**

**Member of An Bord Pleanála**

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



Dated this *16<sup>th</sup>* day of *August* 2023.