

An
Bord
Pleanála

Board Order ABP-316077-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/1000

Appeal by Conall Doorley, Alexandra Walsh and Ronan Crinion of Zero Zero Pizza, 21 Patrick Street, Dun Laoghaire, County Dublin against the decision made on the 16th day of February, 2023 by Dun Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Retention of a fire escape stair at the rear of premises from the first-floor roof to the shared laneway at 21 Patrick Street, Dun Laoghaire, County Dublin.

Decision

GRANT permission for the above development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, including the zoning objective for the site Objective MTC – ‘To protect, provide for and/or improve major town centre facilities’, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the visual or residential amenities of the area, or of property in the vicinity, and would not, by reason of overlooking, lead to loss of privacy or amenity in neighbouring properties. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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

Reason: In the interest of clarity.

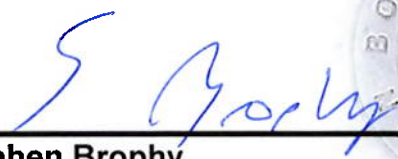
2. The first-floor flat roof to the rear of the property shall not be used as a terrace, smoking area or for any ancillary purpose associated with the restaurant.

Reason: In the interest of residential amenity.

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3. No additional development shall take place on the flat roof area, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.



Stephen Brophy

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

Dated this *7th* day of *March* 2024.