



An
Bord
Pleanála

Board Order
ABP-318266-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0230

Appeal by Darren and Grainne Lakes care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 21st day of September, 2023 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Butlers Chocolates care of Emmett Duggan Architects Limited of Beech Lodge Design Studio, Beech Road, Arklow, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of the existing butchers' shop at ground floor level into cafe use, together with the demolition of existing single-storey sheds to the rear and the construction of a new single-storey extension to the proposed cafe at ground floor level to the rear. The proposed works will also comprise the removal of the existing shopfront to the front elevation at ground floor level and the installation of a new shopfront incorporating a retractable awning in lieu of same and all associated building works, including connections into existing services, at 69 Glasthule Road, Glasthule, Glenageary, County 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 its location within Glasthule local service centre, the zoning objective in the Dún Laoghaire-Rathdown County Development Plan 2022-2028, NC - 'to protect, provide for and/or improve mixed use neighbourhood centre facilities', the modest scale of the development proposed and the pattern of development in the area, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not negatively impact on residential amenity and would, otherwise, 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 25th day of August 2023, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, any change to the display panel, including any increase in the number of posters to be displayed, the scrolling mechanism or the internal/external illumination, shall be the subject of a separate application for permission to the planning authority.

Reason: To enable the planning authority to assess the impacts of any such changes on the amenities of the area.

3. On-site parking shall be for staff use only.

Reason: in the interest of traffic safety.

4. 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.



Joe Boland

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

Dated this 30TH day of May 2024.