

An
Bord
Pleanála

Board Order ABP-318771-23

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23A/0172

Appeal by Simone Hannigan and others care of Armstrong Planning Limited of 12 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 28th day of November, 2023 by South Dublin County Council to grant subject to conditions a permission to The Laurels Limited care of Manahan Planners of 38 Dawson Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Amend a previous permission (planning register reference number SD20A/0254) (An Bord Pleanála reference number ABP-309067-20) for alterations to existing buildings to provide a town house hotel at first floor level of an existing two-storey building, the current use is a public house and betting shop at ground floor level with access stairs to a restaurant kitchen area and staff quarters on the first floor, the approved development comprises a total of nine en-suite bedrooms with five double bedrooms and four four-person family rooms at first floor level and ancillary accommodation was included. Permission is now sought to move the entrance doors to the hotel to face onto the street, construct a single-glazed roof light over the lightwell, raised up so as to allow fresh air into this area, reconfigure the escape stairs at the back to maintain access to the back of the building and to the car park, construct a concrete roof with glazed roof lights over the beer garden to

prevent the escape of noise and retain the existing footpath to the front unaltered, all at 184, 186, 188 Whitehall Road West, Perrystown, 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 planning history of the site, and the nature and scale of the proposed development, which comprises minor modifications to an existing/permitted development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the established use of the site, would not adversely impact on the character of the area or the residential or visual amenity of any neighbouring property, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 9th day of November, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the proposed roof structure to cover the beer garden shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of orderly development.

3. Apart from any departures specifically authorised by this permission, the proposed development shall comply with the conditions of the parent permission (planning register reference number SD20A/0254, An Bord Pleanála reference number ABP-309067-20) unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. Prior to commencement of development, the developer shall submit proposals which demonstrate how the proposed development will contribute to the protection or enhancement of Green Infrastructure in the county for the written agreement of the Water Services and Public Realm Departments of the planning authority.

Reason: To ensure compliance with development management standards in relation to the provision of green infrastructure.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0700 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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.

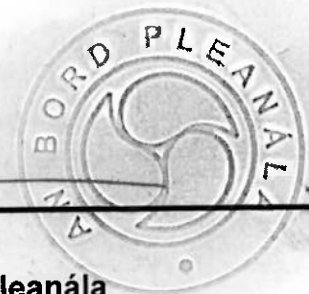
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 25th day of October 2024.