

An
Bord
Pleanála

Board Order ABP-322028-25

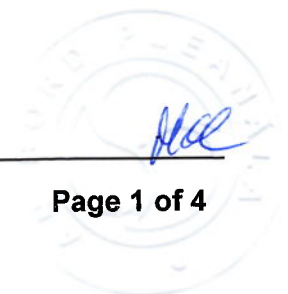
Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: FW24A/0421E

Appeal by Patricia Byrne of 29 Luttrellstown Grove, Carpenterstown, Dublin against the decision made on the 17th day of February, 2025 by Fingal County Council to grant, subject to conditions, a permission to Susan Barry care of Marston Planning Consultancy of 23 Grange Park, Foxrock, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of the permitted café/restaurant within Unit 1 to a veterinary practice (156.5 square metres) within the ground floor of the permitted five-storey mixed-use development as granted under planning register reference number FW16A/0100. The application will include internal works throughout the ground floor of the proposed veterinary practice and external signage (4.13 square metres) to the front elevation on Phoenix Park Way, all at Unit 1, Abelard Square, Phoenix Park Racecourse, 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.

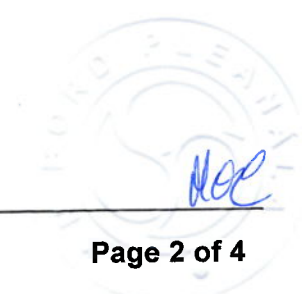
Reasons and Considerations

Having regard to the nature and location of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning objective for the site, would be in accordance with the relevant provisions of the Fingal Development Plan 2023-2029, in particular Objective DMSO84 which provides that veterinary surgeries shall be located in local centres, would comply with Table 14.19: Car Parking Standards of the development plan, and would not seriously injure the residential amenity of the area. The proposed development 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, 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. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission [Register Reference FW16A/0100] 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 permissions.

3. The noise mitigation measures shall be in accordance with the details submitted with the planning application and shall be installed prior to the occupation of the proposed veterinary clinic, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential amenity.

4. All external shopfront fenestration and signage shall be in accordance with the details submitted with the planning application and shall be installed prior to the occupation of the proposed veterinary clinic, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

5. The veterinary clinic hereby permitted shall operate between the hours of 0900 to 1900 Mondays to Fridays, inclusive, and between the hours of 1000 to 1600 on Saturdays. The veterinary clinic shall not operate on Sundays or on public/bank holidays.

Reason: To ensure that the development shall be in accordance with the permission, and that effective control shall be maintained.

6. No animals shall be kept overnight unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential amenity.




Marie O'Connor

Member of An Bord Pleanála

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

Dated this *17* day of *June* 2025.