



An  
Bord  
Pleanála

## Inspector's Report

### ABP-313859-22

<b>Development</b>	Permission for a change of use from existing GP medical practice into beauty and hair salon, new signage to front elevation together with ancillary works.
<b>Location</b>	No. 60 Saint Agnes Road, Crumlin, Dublin 12, D12 E6VE.
<b>Planning Authority</b>	Dublin City Council South.
<b>Planning Authority Reg. Ref.</b>	3650/22.
<b>Applicant</b>	Sharon Casey.
<b>Type of Application</b>	Planning Permission.
<b>Planning Authority Decision</b>	Grant.
<b>Type of Appeal</b>	Third Party.
<b>Appellants</b>	1. Eoin Nolan, Neasa Curran, AP Kelly & Carmel Kelly.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	22 <sup>nd</sup> day of September, 2022.
<b>Inspector</b>	Patricia-Marie Young.

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## 1.0 Site Location and Description

- 1.1. No. 60 Saint Agnes Road, the appeal site has a given 315m<sup>2</sup> area. It is located on the western side of the heavily trafficked and meandering in alignment Saint Agnes Road c60m to the north of the intersection of this road with the R818 (Kimmage Road West to the east and Cromwellsfort Road to the west), and Whitehall Road West, c6km to the south west of Dublin's city centre in the Dublin city suburb of Crumlin.
- 1.2. The site contains a two-storey red brick mid-century former terrace dwelling house that would appear to have accommodated up to recently Saint Agnes Medical Centre which included a dental surgery. This building has been extended to the rear and the setback area to the front is paved accommodating an area of in-curtilage car parking. It is adjoined by No. 58 and No. 62 Saint Agnes Road on either side. It forms part of a larger 2-storey terrace that outside of the subject premises is in residential use.
- 1.3. A vehicle entrance is located on the southern side of the roadside boundary with the adjoining roadside edge containing double yellow lines. These double yellow lines extend in a southerly direction away from the dropped down kerb to the front of the aforementioned entrance. On the opposite side of Saint Agnes Road double yellow lines extend in a southerly and northerly direction. With the site opposite accommodating an Applegreen petrol service station. To the immediate north of the dropped down kerb there is a public light standard and in close proximity to the south there is a bus stop. This bus stop serves No. 17, 17D, 27 and 150 routes.
- 1.4. The surrounding area to the immediate north of the site has a predominantly residential character whereas to the south of the site there are a wide mixture of land uses present.

## 2.0 Proposed Development

- 2.1. Planning permission for a change of use from existing GP medical practice into beauty and hair salon, new signage to front elevation together with ancillary works.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. On the 26<sup>th</sup> day of May, 2022, the Planning Authority issued a notification of their intention to grant permission for the proposed development subject to 11 no. conditions including:

Condition No. 2: Requires written agreement of the signage details; it requires the main hair salon to be moved to the rear of the premises and the treatment room moved to the front; and it omits the salon on the first floor as well as allows for the salon's replacement by a treatment/therapy room only.

Condition No. 3: This sets out the permitted operation hours as Monday to Friday 9:00am to 6:30pm and on Saturday from 9am to 6:30pm. Operations are not permitted on Sundays and Bank Holidays.

Condition No. 4: Restricts the use of the premises.

Condition No. 5: Seeks compliance with the requirements of the Codes of Practice from the Drainage Division, Transportation Division and the Noise & Air Pollution Section.

Condition No. 8: Restricts advertisement.

Condition No. 9: Sets out the Transportation Division requirements.

Condition No. 10: Deals with sound.

Condition No. 11: Sets out demolition and construction phase requirements.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Planning Authority's Planning Officer's report is the basis of their decision. It includes the following comments:

- An overview of the planning history of the site.
- It summarises the observations received.

- It has regard to Interdepartmental Technical Reports.
- Beauty salon/hair dressers that are not specified uses on 'Z1' zoned lands but considers that a hair dresser can be considered as a 'shop' in land use terms under the planning act definition. Shops are permissible on 'Z1' zoned lands.
- It is not considered that the proposed change of use would generate more traffic than the previous medical use of the subject premises.
- The signage proposed is considered inappropriate.
- No AA or EIAR issues arise.
- Concludes with a recommendation to grant permission, subject to safeguards.

### 3.3. **Other Technical Reports**

3.3.1. **Transportation:** No objection, subject to safeguards.

3.3.2. **Engineering:** No objection, subject to safeguards.

### 3.4. **Prescribed Bodies**

3.4.1. None.

### 3.5. **Third Party Observations**

3.5.1. During the course of the Planning Authority's determination of this application they received 7 No. Third Party Observations. I consider that the substantive concerns raised in these submission correlate with those raised by the Third Party in their appeal submission to the Board.

## 4.0 **History**

### 4.1. **Site & Setting:**

4.1.1. Recent and Relevant – None.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. Dublin City Development Plan, 2022-2028, is applicable, under which the site is zoned 'Z1' (Sustainable Residential Neighbourhoods) "*to protect, provide and improve residential amenities.*"
- 5.1.2. Chapter 15 of the Development Plan sets out the Development Plan standards.

### 5.2. Natural Heritage Designations

- 5.2.1. The site is not located within or close to any European site. The closest such sites are the South Dublin Bay SAC (Site Code: 000210) and the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) which are located c7.5km to the east at the closest point as the bird would fly.

### 5.3. EIA Screening

- 5.3.1. The form of development proposed is not of a class for the purposes of EIA and no screening assessment is therefore required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- 6.1.1. The Third Party's grounds can be summarised as follows:
- The subject premises forms part of a mid-century residential terrace group that should not be used as a commercial building.
  - Given the housing crisis the occupation of this building for commercial purposes is objected to.
  - This proposal includes operating on a Saturday which is not considered to be appropriate due to the nuisances that it would give rise to extending into the weekend. When No. 60 was used as a medical centre it was not open on weekends.

- Concerns are raised that the noise arising from the constant machine use and loud hairdryers together with the comings as well as goings from the proposed development would negatively impact upon their quality of life.
- The proposed development would also give rise to increased traffic from staff and customers.
- The level of traffic generated is not comparable to residential use of this terrace group and is not acceptable in this context.
- Noise nuisance arising from the commercial use of this building is objected to and should also not be audible from outside gardens.
- It is contended that there have been on-going drainage issues along this terrace since an extension was added to No. 60 twenty years ago. The drain to No. 60 can only be accessed through No. 58. The proposed use would have a much greater water usage than a terrace dwelling.
- The permission allows for two cars in the driveway of No. 60. This would not be sufficient to cater for staff and clients given the number of treatment rooms and services to be offered by the applicant's business. Car parking is already an issue in this locality. When used as a medical centre this added to the car parking issues with many cars parked on the footpath blocking driveways and causing obstruction.
- The proposed development could add to the litter problem along this road.
- If No. 60 is to remain in commercial use, then it should be only used during the week and for office-based business.

## **6.2. Applicant's Response**

6.2.1. The Applicants response can be summarised as follows:

- It is sought that the Board omit the hours of operation set out under Condition No. 3 of the Planning Authority's grant of permission. The applicant seeks that the Board permit their suggested hours of operation.
- It is contended that Tuesday and Thursday's late opening are to facilitate the therapy and treatment areas of the business and would not give rise to noise or traffic congestion as these are based on booking appointments.

- There are other late evening and night time land uses operating in this locality.
- There are precedents for small businesses operating in the area.
- Litter arises from pedestrian sources along the road.
- It is proposed to locate the hair salon element to the rear of the site so that it will not have any direct impact on the two-party walls of the terrace.
- A survey of the drainage carried out on their behalf concluded that the drains at the subject premises are in good condition with no signs of defects. The change of use would not give rise to any drainage issues.
- There is on site provision of car parking and a bicycle store.
- There are other land uses present in this locality including a petrol station on the opposite side of Saint Agnes Road.
- Public parking at No. 64 Agnes Road that can facilitate 21 car parking spaces.
- The Board is requested to uphold the decision of the Planning Authority with the exception of the omission of Condition No. 3.

### **6.3. Planning Authority Response**

6.3.1. None received.

### **6.4. Further Responses**

6.4.1. A further response was received from the Appellant. The issues raised correlate with those raised in their appeal submission and in my opinion no substantive new issues are raised.

## **7.0 Assessment**

### **7.1. Preliminary Comment**

7.1.1. I consider that the main issues that arise for determination by the Board in relation to this appeal relate to the following:

- Principle of Development
- Residential Amenity Impact



- Visual Amenity Impact
- Drainage

7.1.2. The matter of ‘*Appropriate Assessment*’ also requires examination.

7.1.3. For clarity, my assessment below considers the proposed development against the recently adopted Dublin City Development Plan, 2022-2028.

7.1.4. I also note that the applicant as part of their response to the grounds of appeal have included drawings that seek to address a number of the concerns raised in relation to the proposed development sought. This includes the revisions to the proposed development to satisfy the requirements sought by the Planning Authority as part of their notification to grant permission.

7.1.5. Of particular note Condition No. 2(a), (b) and (c) which sought signage revisions and Condition No. 2 (d) and (e) which sought revisions to the internal layout to eliminate the hair salon from the original ground and first floor level of the subject premises. Thus, seeking that salon at first floor level be replaced with a therapy room and the salon at ground floor level relocated to a later in construction single storey rear extension.

7.1.6. In addition to these changes the drawings submitted with the appeal indicate the provision of bicycle storage in the setback area to the front in response to the requirement of Condition No. 9(a) and the vehicle turning in the setback area for the two car parking spaces existing and required to meet the Development Plan standards for the change of use proposed.

7.1.7. The applicant in their written response to the grounds of appeal also seek that the hours of operation are amended from that permitted under Condition No. 3. This particular matter I propose to address under the broad heading of residential amenity impact in my main assessment below.

## 7.2. Principle of the Proposed Development

7.2.1. By way of this application permission is sought for the change of use from existing GP medical practice into beauty and hair salon, new signage to front elevation together with ancillary works.

- 7.2.2. According to the documentation accompanying this application the proposed change of use relates to the entire ground and first levels of No. 60 which has a given floor area of 178.4m<sup>2</sup>. The documentation also sets out that No. 60 in its entirety was used as a medical practice.
- 7.2.3. In this regard the submitted drawings show that the 119.5m<sup>2</sup> ground floor area contained a waiting room, reception office, store room within the historical footprint of this terrace building with two surgery rooms, a very modest staff/kitchen room and a WC in the rear single storey extension.
- 7.2.4. At first floor level three surgery rooms, a staff room and bathroom are shown.
- 7.2.5. At the time of inspection, the medical related use of No. 60 had ceased, and the building appeared to be vacant.
- 7.2.6. The First Party appears to have purchased the building in recent times and they seek a change of use from medical practice to operate their hair salon and beauty therapy business from.
- 7.2.7. In this regard, the drawings show that the ground floor level would reuse the existing configuration maintain the store room, WC, and staff kitchen. In the remainder of the ground floor level a main salon and two therapy rooms are proposed. At first floor level the internal configuration remains the same with the bath room maintained and the other four rooms accommodating two therapy rooms, a treatment room, and a salon.
- 7.2.8. The subject premises, No. 60 Saint Agnes Road, is located on lands zoned 'Z1 – Sustainable Residential Neighbourhoods' under the Development Plan. Chapter 14 of the Development Plan sets out the objective for 'Z1' zoned lands as follows: "*to protect, provide and improve residential amenity*".
- 7.2.9. In terms of the vision for 'Z1' land this chapter of the Development Plan states that: "*the vision for residential development in the city is one where a wide range of high quality accommodation is available within sustainable communities where residents are within easy reach of open space and amenities as well as facilities such as shops, education, leisure and community services. also sets out permissible and open for consideration land uses on 'Z1' zoned land*"; and, that: "*in both new and established residential areas, there will be a range of uses that have the potential to foster the*

*development of new residential communities. These are uses that benefit from a close relationship with the immediate community and have high standards of amenity, such as childcare facilities, schools, community facilities, personal services, local shops, open space, recreation and amenity uses”.*

7.2.10. This chapter also sets out permissible and open for consideration land uses.

7.2.11. In relation to ‘Z1’ zoned land beauty and hair salon are in my view listed as uses being open for consideration under the use “*beauty/ grooming services*”. Whereas the medical and related consultants, the former up to recent use of the building is listed as a permissible use.

7.2.12. Section 14.3.1 of the Development Plan defines an ‘*open for consideration*’ use as: “*one which may be permitted where the planning authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects on the permitted uses, and would otherwise be consistent with the proper planning and sustainable development of the area*”.

7.2.13. Despite the long established and only recently ceased use of the subject building as a medical practice I consider it appropriate that the merits of the proposed development at this location be assess against its contribution towards the achievement of the zoning objective and vision for Z1 zoned land together with its compliance with relevant planning policy provisions, particularly as provided for under the Development Plan. With particular regard to residential amenity impact.

### **7.3. Residential Amenity Impact**

7.3.1. The Appellants in this appeal case raise concern that the proposed change of use, if permitted, would negatively impact upon their established residential amenities by way of noise, hours of operation, car parking overspill, litter through to adversely impact the setting by way of the proposed development being an inappropriate type of development in a residential terrace group. Given that the subject premises is bound by residential terrace dwelling units on either side and given that the subject premises forms part of a residential terrace group which for the exception of No. 60 maintains its original residential functional intent I consider these concerns are reasonable.

- 7.3.2. I further consider it reasonable that any development at this site, including that sought under this application, demonstrates that a balance is reached between protecting residential amenities alongside improving residential amenities which in the context of achieving sustainable residential neighbours includes residential development being supported by synergistic other land uses.
- 7.3.3. In relation to the concern of noise nuisance, the appellants consider that the proposed beauty and hair salon, would as a result of its type of functional operation, which includes the use of loud hair dryers, together with the turnover of customers and the hours of operation sought would negatively impact on their residential amenities over that which arose from the use of No. 60 as a medical practice.
- 7.3.4. In relation to the medical practice use it is contended by the appellants that the subject premises and the mid-20<sup>th</sup> Century terrace residential terrace group it forms part of lacks sound insulation. As a result of this together with the wooden floors noise therein the former use as a medical practice gave rise to noise nuisance particularly for the adjoining dwelling units on either side, i.e. No.s 58 and 62.
- 7.3.5. The appellants are of the view that nature, extent, and scale of the proposed change of use together with the lack of any specific measures to deal with noise nuisance arising together with the internal layout which includes hair salons bounding in rooms adjoining dwellings of No.s 58 and 62 at ground as well as first floor levels. With this type of use including noise arising as previously mentioned from loud hairdryers and other forms of noise. When taken together with the noise nuisance arising from coming and going of staff and customers, including by way of the traffic this type of development. Alongside the more extended hours of operation sought during the week and into the weekend. They are not satisfied on the basis of the information provided with this application and on appeal that their residential amenity would not be adversely diminished.
- 7.3.6. The Planning Authority as part of addressing the potential nuisance that could arise from the proposed development if implemented included a number of conditions that sought to safeguard residential amenities.
- 7.3.7. This included firstly Condition No. 2 (d) the relocation of the main salon to the rear later extension at ground floor level and its replacement with a treatment room and

Condition No. 2 (e) the omission of the salon room at first-floor level and its replacement with a treatment room.

- 7.3.8. The stated reason for these revisions was in the interest of residential amenity.
- 7.3.9. In relation to this amendment the applicant in their response to the grounds of appeal raise no objection to this revision to the proposal.
- 7.3.10. Notwithstanding, I note to the Board that the appellants also raise concern for the potential nuisances to impact their private amenity space and it is unclear from the drawings submitted with this application as well as on appeal that noise attenuation measures are sufficient to buffer noise arising from its use as the main salon. With this concern in my view being further added to by the lack of any clarity on what measures are or would be put in place to ventilate and/or air condition this space as appropriate in order preventing undue noise proliferating from the rear of the subject premises and in so doing giving rise to noise nuisance over and above that which would normally be expected in residential terrace group.
- 7.3.11. Further qualitative improvements could however be achieved by way of condition should the Board be minded to grant permission.
- 7.3.12. Condition No. 3 of the grant of permission also restricted the hours of operation of the beauty and hair salon to:
- |                   |               |
|-------------------|---------------|
| Monday to Friday: | 9am to 6:30pm |
| Saturday:         | 9am to 6:30pm |
- With no operations permitted on Sundays or bank holidays. The stated reason for the hours permitted by the Planning Authority under this condition is given as in the interests of residential amenity.
- 7.3.13. Though I am cognisant that the appellants in general object to the change of use proposed and consider it preferable that residential use be reinstated or if this is not possible that the building is used as office space, they object to the hours of operation of any commercial operation extending into the weekends.
- 7.3.14. The basis for this is that this would give rise to undue additional negative residential amenity impacts over that which arose from the use of No. 60 as a medical practice.

7.3.15. The applicant on the other hand object to the hours of operation permitted and seek that the Board omit this and/or revise this so that they can operate their business as follows:

- Monday                    9am to 6:30pm
- Tuesday                   9am to 8pm
- Wednesday               9am to 6:30pm
- Thursday                 9am to 8pm
- Friday                     9am to 6:30pm
- Saturday                 9am to 5pm – 1.30min
- Sunday                    Closed
- Bank Holidays          Closed

7.3.16. It is not accepted that during these suggested hours of operation that any adverse diminishment of residential amenities would arise. With this based on the argument that the business would be operated by appointment only. With these later evening hours offering them scope to provide therapies for their clients and that these therapies are quite in terms of noise.

7.3.17. While I accept that some latitude should be given to using what is a vacant building, I do not consider the hours of operation put forward by the applicant in their response appropriate in residential terrace group. The hours of operation suggested would result in the commercial use of the building beyond standard business hours into evening and early night time hours and would arguably set an undesirable precedent for proliferation of further evening and night time uses. Alongside giving rise to a level of commercial use that would not sit comfortably with the established residential amenity of this terrace group.

7.3.18. On this point I do not consider the presence of 24-hour petrol station on the opposite side of the road together with other late evening and late-night land uses in the wider vicinity to justify the extended evening to early night hours of operation sought by the applicant given that their site settings are not the same.

7.3.19. From examination of available hours of operation on the Saint Agnes Medical Centre it would appear that its hours of operation were as follows:

Monday to Friday: 9:30am to 11:30pm – 2pm to 6:30pm (Closed 1 to 2pm and 4:30pm to 5:30pm)

- 7.3.20. I therefore consider the latitude to extend the hours of operation as provided by the Planning Authority into the weekend achieves a more reasonable balance in the context where commercial day time use has already been established and can be more appropriately absorbed without giving rise to undue diminishment of residential amenities.
- 7.3.21. As such I consider the hours of operation as provided for under Condition No. 3, subject to safeguards, should in my view be maintained should the Board be minded to grant permission.
- 7.3.22. In terms of safeguards, I note that Condition No. 10 of the Planning Authority's grant of permission in the interest of environment protection requires that sound levels from any loudspeaker, announcement, music, or other material projected in or from the premises shall be controlled so as to ensure the sound is not audible in adjoining premises or at two metres from the frontage.
- 7.3.23. I consider such a condition to be reasonable to protect the residential amenities and environmental qualities of the site setting in a manner consistent with the 'Z1' land use zoning objective applicable to the site and its immediate setting. With the land use zoning objective seeking to provide a measure of protection of residential amenities from any undue diminishment.
- 7.3.24. Further safeguards are provided by the Planning Authority under Condition No. 5 which for example requires but is not limited to the Codes of Practice of the Noise & Air Pollution Section of the Planning Authority be complied with.
- 7.3.25. Like the previous conditions discussed I consider that it is reasonable as part of ensuring qualitative standard of development and a type of development that does not give rise to any undue amenity or environmental impact.
- 7.3.26. Moreover, Condition No. 11 provides further protection for the duration of construction and any demolition works by way of requiring compliance with British Standard 5228 'Noise Control on Construction and Open Sites', Part 1, Code of Practice for basic information and procedures for noise control. This type of condition is reasonable and

can be further supported by a condition that limits the construction works, waste management and the like.

7.3.27. On the matter of additional nuisance arising from the traffic generated by the proposed development I note that the site is located in location where under the Development Plan the proposed change of use does not require the provision of car parking above the two in-curtilage spaces that are already provided for on site. Outside of the lack of any bicycle storage which the applicant does not object to and indicates the willingness to provide the same in the drawings accompanying their response to the grounds of appeal I am of the opinion that this concern is not sufficient basis to refuse the proposed development. Nor are the issues arising from *ad hoc* car parking on the pedestrian footpath and on people's driveways.

7.3.28. Given that the medical practice was a use that is likely to have generated similar traffic volumes during its hours of operation. Through to that the subject premises is located in medium density residential suburban area and as such is in walkable distance for many of its potential customers.

7.3.29. Moreover, the subject premises is located alongside a bus stop and there is pay and display car parking within close walking distance. Alongside private parking in the Ashleaf Shopping Centre.

#### 7.4. Visual Amenity Impact

7.4.1. The Appellants object to the signage sought under this application on the basis that they consider it would negatively impact the terrace group and be a type of development that is out of character with this mid-20<sup>th</sup> Century terrace residential group.

7.4.2. The Planning Authority also raised concerns in relation to the signage proposed under this application and similarly considered it to be inappropriate to its setting.

7.4.3. In order to deal with this particular concern, they omitted under Condition No. 2(a) the free-standing sign behind the front boundary wall and under Condition No. 2(b) the sign over the porch.

7.4.4. In addition to this Condition No. 2(c) stated the following: "*a modest sign only shall be permitted on the front elevation of the building which shall compromise of individually pin mounted lettering, or alternatively a modest plaque on the front pier*".



- 7.4.5. The reasons given for these sub conditions was in the interests of visual amenity and I consider they are reasonable given that the subject terrace forms part of an originally coherent terrace group that has with the exception of No. 60 maintained its original residential function. Together with the separation distance between the subject premises and this terrace group being located at the entry point to a mature residential in visual character and appearance streetscape scene and the poor-quality design resolution of the signage proposed.
- 7.4.6. The applicant as part of their response to the grounds of appeal raises no objection to the omission of the free-standing sign and/or the sign over the porch. In response to Condition No. 2(c), they propose individually pin mounted lettering on the front elevation of the building and a plaque on the front pier.
- 7.4.7. I am cognisant that Condition No. 2(c) seeks one or the other. Together given the design and dimensions of the revised signage I do not consider these to be modest or that both signs are necessary in a site context of a residential terrace group. I also consider that in terms of the streetscape scene that the two signs as proposed would give rise to visual clutter.
- 7.4.8. Notwithstanding, I am of the view that should the Board be minded to grant permission that signage and advertisement together with any ancillary structures relating to them such as lighting can be dealt with by way of condition similar to Conditions 2(a) to (c) and in conjunction with Condition No. 8 of the grant of permission. The latter condition I note deals specifically with advertisement.

## **7.5. Infrastructure – Water & Drainage**

- 7.5.1. I am not convinced on the basis of the information provided by the Appellant in their appeal submission and by the Applicant in their response to the grounds of appeal that the proposed development would, if permitted, be prejudicial to public health, by virtue of the nature, scale and extent of development sought, alongside the site being part of serviced setting where there is capacity in the public water and foul drainage supply to absorb it. Further there are no ground works proposed. I also note that the Planning Authority's Engineering Department – Drainage Division raised no objection to the proposed development subject to standard safeguards. I therefore consider that there is no basis to refuse permission for the development sought under this application on drainage or other infrastructure servicing concerns.

## 7.6. **Appropriate Assessment**

- 7.6.1. Having regard to the nature, extent and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced area with a significant lateral separation distance to the nearest European site, no appropriate assessment issues arise; and, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 **Recommendation**

- 8.1. I recommend that permission be **granted**.

## 9.0 **Reasons and Considerations**

- 9.1. Having regard to the established use of the subject premises as a medical practice up to recent times, the nature and extent of the proposed development, the residential zoning objective for the area and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity nor would it give rise to any additional traffic inconvenience on Saint Agnes Road. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 **Conditions**

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

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

2. The proposed development shall be amended as follows:
  - (a) The free-standing sign behind the front boundary wall shall be omitted.
  - (b) The sign over the porch shall be omitted.
  - (c) A modest sign only shall be permitted on the front elevation of the building which shall comprise of individually pin mounted lettering, or alternatively a modest plaque on the front pier.
  - (d) The main salon on the ground floor shall be moved to the rear extension and the treatment room moved to the position of the main salon.
  - (e) The salon on the first floor shall be omitted and replaced by a treatment room/therapy room only and/or store.
  - (f) No more than two cars to be parked in the front garden at any one time.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of ensuring a satisfactory standard of development and in the interests of residential as well as visual amenity of the area.

3. The hours of operation shall be restricted from Monday to Friday 9:00am to 6:30pm and from 9:00am to 6:30pm on Saturday and shall not open at all on Sunday or Bank Holidays.

**Reason:** To clarify the scope of the permission, in the interests of amenity and proper planning and development of the area.

4. The premises shall be used as a hairdressing and beauty salon only and for no other purpose within Schedule 2, Part 4, Class 1 of the Planning & Development Regulations 2001 (as amended), without the prior grant of planning permission.

**Reason:** To clarify the scope of the permission, in the interests of amenity and the proper planning and development of the area.

5. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division, and the Noise & Air Pollution Section.

**Reason:** To ensure a satisfactory standard of development.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

7. Notwithstanding the provisions of the Planning & Development Regulations 2001, as amended, no advertisement signs (including any signs installed to be visible through windows); advertisement structures, banners, canopies, flags, lighting or other projecting element shall be displayed or erected on the building or within the curtilage or attached to the glazing or facades without the prior grant of planning permission.

**Reason:** In the interests of visual amenity.

8. The following requirements of the Planning Authority's Transportation Planning Division shall be complied with:

- (a) A minimum 2 no. sheltered, and secure cycle parking spaces shall be provided. The cycle parking shall be in situ prior to the occupation of the development.

- (b) All costs incurred by the Council, including any repairs to the public road and services necessary as a result of the development shall be at the expense of the developer.

- (c) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

**Reason:** To ensure a satisfactory standard of development.

9. The sound levels from any loudspeaker, announcements, music or other material projected in or from the premises shall be controlled so as to ensure the sound is not audible in adjoining premises or at two metres from the frontage and rear.

**Reason:** In the interests of environmental and residential amenity.

10. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

11. The construction of the development shall be managed in accordance with a Construction and Demolition Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

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Patricia-Marie Young  
Planning Inspector - 28<sup>th</sup> day of October, 2022.