



An  
Bord  
Pleanála

## Inspector's Report ABP-318771-23

### Development

To amend a previous permission (Reg. Reference: SD20A/0254) (ABP Ref. 309067-20) for alterations to buildings to provide a town house hotel. Change of use from ground floor pub with restaurant over head to ground floor pub with hotel overhead.

### Location

184, 186, 188, Whitehall Road West, Perrystown, Dublin 12

### Planning Authority

South Dublin County Council

### Planning Authority Reg. Ref.

SD23A/0172

### Applicant(s)

The Laurels Ltd.

### Type of Application

Permission

### Planning Authority Decision

Grant Permission

### Type of Appeal

Third Party v. Decision

### Appellant(s)

Simone Hannigan, Dolores Waldron,  
Mary McGetrick

### Observer(s)

(1) Cllr Yvonne Collins  
(2) Pauline Foster

**Date of Site Inspection**

19<sup>th</sup> September 2024

**Inspector**

Louise Treacy

## **1.0 Site Location and Description**

- 1.1. The subject site has a stated area of 1,319 m<sup>2</sup> and is located at Nos. 184, 186 and 188 Whitehall Road West, Perrystown, Dublin 12. It forms part of a 2-storey, local neighbourhood centre which is characterised by a mix of retail and other service uses at ground floor level and ancillary uses above. Uncontrolled car parking is available to the front of the centre adjoining Whitehall Road West. The neighbouring lands in the vicinity of the site are largely residential in character including those at Rockfield Avenue to the north-east, Whitehall Road to the south-east and the opposite side of Whitehall Road West. A pharmacy premises adjoins the site at ground floor level within the neighbourhood centre. A single-storey building in medical use adjoins the site to the south fronting onto the public road.
- 1.2. The site accommodates a public house (The Laurels) and a betting office (Ladbrokes) at ground floor, with ancillary uses above. An enclosed beer garden is attached to the public house to the rear of the betting office premises. A large yard area is located to the rear of the site, which is accessed via a gated laneway extending from Rockfield Avenue to the north-east. This yard is used for storage purposes and 1 no. car was parked within this space at the time of my inspection.
- 1.3. A second, smaller yard also forms part of the site at the southern end of the neighbourhood centre fronting onto Whitehall Road West. This yard includes 2 no. container units and a single-storey outbuilding which is used for storage purposes associated with the public house. This part of the site was fenced off with hoarding at the time of the inspection.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises an amendment of a previous permission (Planning Reg. Ref. SD20A/0254; ABP Ref. 309067-20) for alterations to the existing buildings to provide a town house hotel at 1<sup>st</sup> floor level of an existing 2-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 1<sup>st</sup> floor; the approved development comprises a total of 9 en-suite bedrooms with 5 no. double bedrooms and 4 no. four-person family rooms at 1<sup>st</sup> floor level and ancillary accommodation.

- 2.2. Permission is now sought to: (1) move the entrance doors to the hotel to face onto the street, (b) construct a single glazed roof light over the lightwell, (c) reconfigure the escape stairs at the back to maintain the access to the back of the building and the car park, (d) construct a concrete roof with glazed roof lights over the beer garden to prevent the escape of noise and, (e) retain existing footpath to the front unaltered.

### 3.0 Planning Authority Decision

#### 3.1. Decision

- 3.1.1. The Planning Authority issued Notification of the Decision to Grant Permission for the proposed development on 28<sup>th</sup> November 2023 subject to 6 no. conditions.
- 3.1.2. Condition no. 4 requires the submission of a fully detailed landscape and green infrastructure plan for the area to the south-west of the building, within the application site, for the written agreement of the Planning Authority prior to the commencement of development.
- 3.1.3. Condition no. 5 requires the submission of a proposed 1<sup>st</sup> floor level plan and proposed roof plan that accurately reflect the permitted proposed elevational drawings prior to the commencement of development. Room labels for the proposed ground floor plan are also to be omitted from the proposed 1<sup>st</sup> floor level plan.
- 3.1.4. All other conditions are standard in nature.

#### 3.2. Planning Authority Reports

- 3.2.1. **Planning Reports (14<sup>th</sup> September 2023 and 28<sup>th</sup> November 2023)**
- 3.2.2. Following an initial assessment of the application, South Dublin County Council's Planning Officer recommended that **Further Information** be requested in relation to the following:
- 3.2.3. **(1)(a)** The applicant is requested to submit the revised floor area for the front stairwell entrance to the hotel.
- 3.2.4. **(b)** As part of the changes to the hotel entrance, the proposed signage has been altered. This has not been provided for in the development description and statutory

notices. The applicant is requested to provide details of the proposed signage including drawings showing dimensions and materials and demonstrating compliance with 12.5.7 of the county development plan.

- 3.2.5. **(c)** There are discrepancies between the permitted and proposed drawings, which have not been reflected in the development description and statutory notices of the application. This includes changes to the number, location and size of rooflights and windows. Given these changes would visually impact the development, the applicant is requested to address same. A full set of revised drawings and revised statutory notices may be required.
- 3.2.6. The applicant submitted a **Response to the Request for Further Information** on 9<sup>th</sup> November 2023 which can be summarised as follows:
- 3.2.7. **Item No. 1 (a):** The revised floor area is 44.78 m<sup>2</sup>.
- 3.2.8. **Item No. 1 (b):** It is anticipated that the timber fascia on the adjoining existing building to the left will be continued along the front of the new staircase extension and the future name of the hotel will be painted onto the fascia. The name of the new hotel is not yet decided, and it was not intended to apply for signage at this stage.
- 3.2.9. **Item No. 1(c):** The roof lights facing the street have been removed and a set of drawings provided to illustrate same. Any discrepancies between the permitted and proposed drawings, other than those listed in the statutory notices, have been resolved in the revised drawings.
- 3.2.10. Following an assessment of the submitted information, the Planning Officer was satisfied that all requested items of further information had been addressed or could be dealt with by way of condition and recommended that planning permission be granted for the proposed development.
- 3.2.11. **Other Technical Reports**
- 3.2.12. **Roads Department (10<sup>th</sup> August 2023):** No objection to the proposed development.
- 3.2.13. **Public Realm (15<sup>th</sup> August 2023):** No objection subject to conditions.
- 3.2.14. **Water Services (28<sup>th</sup> August 2023):** No objection subject to conditions.

### **3.3. Prescribed Bodies**

3.3.1. **Irish Water (4<sup>th</sup> September 2023):** No objection subject to conditions.

### **3.4. Third Party Observations**

- 3.4.1. A total of 5 no. third party observations were made on the application by: (1) Meave Early, c/o B. Early, 185 Whitehall Road West, Perrystown, Dublin 12, (2) Keith Gillis, 1 Rockfield Avenue, Perrystown, Dublin 12, (3) Mary McGetrick, 167 Whitehall Road, Dublin 12, Simone Hannigan, 165 Whitehall Road, Terenure, Dublin 12 and Dolores Waldron, 169 Whitehall Road, Dublin 12, (4) Recorder's Resident's Association, 39 Whitehall Road, Terenure, Dublin 12, and (5) Daniel Purdy, 1a Rockfield Avenue, Dublin.
- 3.4.2. The issues which are raised can be summarised as follows: (1) noise and disruption due to people gathering at new entrance, (2) land at back of Nos. 1 and 1a Rockfield Avenue is residentially zoned and is not a car park, (3) security concerns, (4) delivery arrangements unclear, (5) parking impacts, (6) decreased property values, (7) privacy impacts, (8) overlooking from stairwell, (9) inappropriate building height, (10) overshadowing impacts, (11) part of rear garden of No. 1a Rockfield Avenue has been incorporated into the site and changed from residential to commercial use without the benefit of planning permission, (12) a former car parking area to the side/rear of the pub is now used as a public entrance to the beer garden, resulting in a change of use, an increased floor area, intensification of commercial use and reduction in car parking, (13) planning status of beer garden is unclear, (14) enclosing the beer garden increases the footprint of the pub, (15) increased noise and disturbance, (16) residential amenity impacts, (17) commercial use on residential lands would materially contravene the zoning objective, (18) inaccuracies in the site boundary as shown on site map, (19) right of access to rear of pub needs to be clarified, (20) use of this laneway for general access for pub patrons will severely impact on residents of No. 1a (exact address not provided), (20) unclear planning drawings.

## 4.0 Planning History

- 4.1. **Planning Authority Reg. Ref. SD20A/0254; ABP Ref. PL06S.309067:** Planning permission granted on 2<sup>nd</sup> June 2021 for alterations to buildings to provide a Town House Hotel at 1<sup>st</sup> floor level of an existing 2-storey building.
- 4.2. Condition no. 2 of this permission states that the beer garden and 1<sup>st</sup> floor garden shall not operate after 22.00 hours on Sunday to Thursday and 23.00 hours on Friday and Saturday. It also states that the 1<sup>st</sup> floor garden shall be used by hotel residents only.
- 4.3. Condition no. 3 sets noise limits for the permitted development.
- 4.4. **Planning Authority Reg. Ref. SD05A/0168:** Planning permission granted on 15<sup>th</sup> June 2005 for a change of use of the 1<sup>st</sup> floor to restaurant use with new kitchen and new ground floor entrance to stairwell.
- 4.5. **Planning Authority Reg. Ref. SD03A/0426:** Planning permission granted on 12<sup>th</sup> November 2003 for a change of use at ground floor from retail to licensed betting office.

## 5.0 Policy Context

### 5.1. South Dublin County Development Plan 2022-2028

### 5.2. Land Use Zoning

- 5.2.1. The site is subject to two different land use zonings. It is primarily subject to a “LC – Local Centre” zoning which has the objective “to protect, improve and provide for the future development of Local Centres”. The southernmost portion of the site (yard area) is subject to a “RES – Existing Residential” zoning which has the objective “to protect and/or improve residential amenity”.

### 5.3. Quality Design and Healthy Placemaking

- 5.3.1. **Policy QDP1: Success and Sustainable Neighbourhoods** – Support the development of successful and sustainable neighbourhoods that are connected to and provide for a range of local services and facilities.

- 5.3.2. **Policy QDP4: Healthy Placemaking** – Promote the delivery of neighbourhoods that are attractive, connected, vibrant and well-functioning places to live, work, visit, socialise and invest in.

#### **5.4. Economic Development and Employment**

- 5.4.1. **Policy EDE14: Retail (Local Centres):** Maintain and enhance the retailing function of Local Centres.

#### **5.5. Green Infrastructure**

- 5.5.1. The site is located within a secondary green infrastructure link (L13) as illustrated on Figure 1 4.1 of the development plan.
- 5.5.2. Section 12.4.2 of the plan (Green Infrastructure and Development Management) states that all applications shall demonstrate how they contribute to the protection or enhancement of Green Infrastructure in the county through the provision of green infrastructure elements as part of the application submission. In the case of small-scale developments, this may consist of a simple landscape plan which includes objectives to protect or restore existing onsite GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone.

#### **5.6. Natural Heritage Designations**

- 5.6.1. None.

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

- 6.1.1. A third-party appeal against the Planning Authority's decision has been lodged by Armstrong Planning on behalf of Simone Hannigan, 165 Whitehall Road, Dublin 12, Dolores Waldron, 169 Whitehall Road, Dublin 12 and Mary McGetrick, 167 Whitehall Road, Dublin 12. The appellants reside adjacent and to the south of the subject site. The grounds of appeal can be summarised as follows:

- The existing beer garden does not enjoy the benefit of planning permission and is unauthorised. The proposal to enclose this area with a roof is an



increase in floor area and represents a significant intensification of the permitted land use on a highly constrained site.

- Additional floorspace will encourage larger numbers of patrons and exacerbate the impacts on surrounding residents.
- This increased floorspace will increase opportunities for littering, loitering and anti-social behaviour affecting the safety levels in the area and causing significant negative impacts on the residential amenity of the area. Permission should be refused on this basis.
- A condition regarding the hours of operation of the beer garden attached to the original permission. The prescribed hours (10 pm Sun-Thurs and 11 pm Fri-Sat) pose a deleterious impact on the residential amenities of the appellants, whose rear gardens back onto the appeal site.
- The proposal is contrary to QDP6 Objective 3 of the development plan in relation to environmental and public realm improvements.
- Increased noise and light disturbance.
- Depreciation of property values.
- A residential parcel of land to the rear of No. 1a Rockfield Avenue has been incorporated into the red line boundary of the appeal site. It appears that the applicant intends to use this space as a car park. This aspect of the development was not identified in the planning application forms and notices and would require a separate planning application.
- The development would result in a cramped form of development and is inappropriate given the tight urban form and surrounding residential context.

## **6.2. Applicant Response**

6.2.1. A response to the appeal was received from Manahan Planners on behalf of the applicant on 18<sup>th</sup> January 2024. The response can be summarised as follows:

- The appeal contains inaccuracies, lacks planning merit and should be dismissed.

- The outdoor seating area / beer garden is on the southern side of the building and is a long-established feature of the existing pub. The function of this space for eating and drinking has been clearly outlined in the parent permission for the Town House Hotel. The function and lawfulness of this outdoor space is therefore beyond doubt.
- The appellants have mistakenly argued that covering this space for eating and drinking amounts to intensification and is unlawful when in fact this use has already been established through the parent permission.
- The proposed roof covering to this outdoor space will not exacerbate any issues arising with the use of this space. Residential properties adjacent to local commercial centres in urban areas will inevitably encounter some negligible impacts to their residential environment. The subject application does not propose to worsen this environment, rather it seeks to improve it.
- In issuing permission for the hotel, An Bord Pleanála attached planning conditions in relation to the hours of operation of the outdoor space and noise restrictions for the pub.
- There is no record of anti-social behaviour, or any enforcement action taken by the Council.
- There is an existing storage shed and outdoor commercial operation abutting the boundary wall of No. 169 Whitehall Road.
- QDP6 Objective 3 of the development plan has no relevance to this planning application.
- The appellants' reference to the depreciation of property values is not a material consideration.
- The appellants mistakenly suggest that the applicant has included land belonging to No. 1a Rockfield Avenue within the site boundary. The application site is solely under the ownership of the applicant as demonstrated in the planning application documents.

- The application boundary includes residentially zoned land as noted in the Council's Planning Officer's report and which notes that hotel/hostel uses are open for consideration under both zoning objectives.

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

- 6.3.1. A response to the appeal was received from the Planning Authority on 15<sup>th</sup> January 2024. The Planning Authority confirms its decision and states that the issues raised in the appeal have been covered in the Chief Executive's report.

### **6.4. Observations**

- 6.4.1. Observations have been made on the appeal by: (1) Cllr Yvonne Collins, 12a Main Street, Rathfarnham, Dublin 14 and (2) Recorder's Residents Association, 39 Whitehall Road, Terenure, Dublin 12. The issues which are raised can be summarised as follows: (1) planning application boundary includes part of the garden of No. 1 Rockfield Avenue, (2) condition to restrict beer garden for use by residents of the Town House Hotel is welcomed, (3) adding a roof to the beer garden comprises a large extension to the pub, (4) increased number of commercial premises in the area impacting on residential amenities, (5) insufficient parking provision will impact on local streets, (6) flood risk.

## **7.0 Assessment**

- 7.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local planning policies and guidance, I consider that the substantive issues to be considered in this case are as follows:

- Planning Status of Existing Development
- Impact on Residential Amenities
- Land Ownership
- Green Infrastructure

- Appropriate Assessment

7.2. Each of these issues is considered in turn below.

### **7.3. Planning Status of Existing Development**

- 7.3.1. The appellants submit that the existing beer garden does not have planning permission and is unauthorised. The proposed roofing of the beer garden is considered to represent a significant intensification of land use on a highly constrained site. The appellants also contend that the condition attached to the parent permission regarding the hours of operation of the beer garden poses a deleterious impact to their residential amenities.
- 7.3.2. In response, the applicant's agent submits that the beer garden is a long-established feature of the existing pub and that its function as a space for eating and drinking has been clearly outlined and established in the parent permission for the hotel use on the site. The applicant does not accept that the covering of this space amounts to an intensification of use.
- 7.3.3. This planning application has not sought permission for the proposed beer garden. Permission was granted for the reconfiguration of this space under the parent permission as identified by the applicant (Planning Authority Reg. Ref. SD20A/054; ABP Ref. PL06S.309067 refers). The Planning Authority has not raised any objections in relation to the beer garden use and the Planning Officer's report states that there is no relevant enforcement history relating to the site.
- 7.3.4. The hours of operation of the beer garden are controlled under condition no. 2 of the parent permission, with limits on noise emissions being set under condition no. 3. This planning application has not sought to extend or alter the permitted hours of operation of the beer garden, and as such, these matters are not open for consideration under this appeal case. In the event the Board decides to grant permission for the proposed development, the applicant will be required to comply with the conditions attached to the parent permission, where they remain unaffected by the current proposal. In my opinion, the attachment of a condition clarifying this matter would be appropriate in this instance.
- 7.3.5. The current application seeks to provide a new roof to the permitted beer garden, and it is this element of the proposed development which is relevant to the

assessment of this case. I do not accept the appellants' argument that the covering of this space amounts to an intensification of use, given that no extension of the beer garden space is proposed. I also consider it reasonable that some form of roof covering be provided to an outdoor seating space. As such, I am satisfied that the issues which have been raised by the appellants in relation to the principle of the beer garden use are without substance.

#### **7.4. Impact on Residential Amenities**

- 7.4.1. The appellants primary concerns in relation to the proposed development relate to potential impacts on the residential amenities of their properties and the surrounding neighbourhood. Specific concerns are raised in relation to noise, anti-social behaviour, littering, loitering and light disturbance.
- 7.4.2. In my opinion, the concerns which have been raised relate to the existing / permitted use on the site, rather than the works now proposed. In summary, these works include reconfiguration of the entrance doors to the permitted hotel, the provision of a rooflight over the hotel lightwell, the reconfiguration of the escape stairs to the rear of the building and the provision of a concrete roof with glazed rooflights over the permitted beer garden. As previously identified, the hours of operation and noise emissions from the beer garden are controlled by conditions attached to the parent permission which are intended to protect the residential amenities of adjoining properties.
- 7.4.3. The proposed development forms part of an established neighbourhood centre and in my opinion, the works which are proposed are not unreasonable in the context of the existing / permitted use of the site. As such, I am satisfied that no undue residential amenity impacts would occur on foot of the proposed development. I note that the Planning Authority did not attach a condition in relation to the permitted hours of construction. Should the Board decide to grant permission, I recommend that a suitable condition which reflects that of the parent permission be attached to protect the residential amenities of neighbouring properties.

#### **7.5. Land Ownership**

- 7.5.1. The appellants submit that the planning application red line boundary includes a parcel of land which belongs to No. 1a Rockfield Avenue. The appellants assert that the applicant intends to incorporate this parcel into the overall use on the site for the

purposes of car parking. The appellants submit that this would constitute a change of use, for which a separate planning application would be required. In response, the applicant submits that the application boundary is entirely within their ownership.

7.5.2. No. 1a Rockfield Avenue is a recently constructed dwelling which abuts the rear access laneway into the subject site. In my opinion, the red line boundary as shown on the planning application drawings appears to reflect the site boundaries observed during my site inspection and based on a review of aerial photography of the site.

7.5.3. Notwithstanding the foregoing, I note that the works for which permission is now sought relate entirely to the existing built structures within the site, and as such, do not encroach on the boundaries of this adjoining dwelling. I also note that this application has not sought permission for the use of the rear yard as a car park. As such, I am satisfied that the applicant has sufficient interest in the land to carry out the proposed development. I would also draw the Board's attention to the provisions of Section 34 (13) of the Planning and Development Act, 2000 (as amended) which states that "a person shall not be entitled solely by reason of a permission under this section to carry out any development".

## **7.6. Green Infrastructure**

7.6.1. The site is located within a secondary green infrastructure link. The Public Realm Department of the Planning Authority has requested detailed information in relation to a site landscaping and green infrastructure plan for the area to the south-west of the building. I note that the area to the south-west of the building includes the footpath area in front of the smaller yard space within the appeal site. No landscaping is identified for this location on the submitted site plan drawings.

7.6.2. However, given the development management requirements in relation to green infrastructure, I consider it reasonable that the applicant be required to demonstrate the compliance of the proposed development with same. This matter can be addressed by condition. The Public Realm Department and the Water Services Department also require the submission of SuDS proposals for the site. This matter can also be addressed by condition.

## **7.7. Note**

- 7.7.1. Condition no. 5 of the Planning Authority's decision requires the applicant to submit a proposed 1<sup>st</sup> floor level plan and roof plan that accurately reflect the permitted/proposed elevational drawings in the context of Velux windows shown on these drawings. It is also required that room labels for the proposed ground floor plan be omitted from the proposed 1<sup>st</sup> floor plan.
- 7.7.2. In my opinion, these matters can be encompassed in a condition which requires the developer to comply with the parent permission and that the attachment of a specific condition in relation to these matters is unnecessary.
- 7.7.3. I also note that Irish Water recommend that a condition be attached in relation to water and wastewater agreements to serve the development. Given the nature of the works and the existing development on the site, I do not consider that such a condition is required in this instance.

## **7.8. Appropriate Assessment**

- **Screening Determination**

- 7.8.1. I have considered the proposed development in light of the requirements of S. 177 U of the Planning and Development Act, 2000 (as amended). The subject site is located approx. 6 – 7 km from the nearest European sites to the south (Glenasmole Valley SAC, Wicklow Mountains SAC and Wicklow Mountains SPA) and 8 km from the nearest European sites to the east (South Dublin Bay and River Tolka SPA and South Dublin Bay SAC). The proposed development comprises minor modifications to a permitted development in an established urban area. No nature conservation concerns were raised in the planning appeal.
- 7.8.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European site. The reason for this conclusion is as follows:
- The small-scale nature of the works to an existing / permitted development, and
  - The distance from the nearest European site.

- 7.8.3. I conclude that on the basis of objective information, the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act, 2000, is not required.

## 8.0 Recommendation

- 8.1. I recommend that planning permission be granted based on the reasons and considerations set out hereunder.

## 9.0 Reasons and Considerations

- 9.1. 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, I am satisfied that, subject to compliance with the conditions set out below, the proposed development would be consistent with the established use of the site and would not adversely impact on the character or amenity of any neighbouring property. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>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 received by the planning authority on the 9<sup>th</sup> 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 development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
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2.	<p>Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission (Planning Authority Reg. Ref. SD20A/0254; ABP Ref. 309067-29) unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.</p> <p><b>Reason:</b> In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.</p>
3.	<p>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.</p> <p><b>Reason:</b> 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.</p>
4.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the 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.</p> <p><b>Reason:</b> To prevent flooding and in the interests of sustainable drainage.</p>
5.	<p>Prior to the commencement of development, the developer shall submit proposals which demonstrate how the proposed development will</p>

	<p>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.</p> <p><b>Reason:</b> To ensure compliance with development management standards in relation to the provision of green infrastructure.</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0700 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Louise Treacy

Senior Planning Inspector

3<sup>rd</sup> October 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	318771-23			
<b>Proposed Development Summary</b>	Minor modifications to a permitted development (Reg. Ref. SD20A/0254, ABP Ref. 309067-20) for alterations to the existing buildings to provide a town house hotel.			
<b>Development Address</b>	184, 186 & 188 Whitehall Road West, Perrystown, D 12.			
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>		
		<b>No</b>	No further action required	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>				
<b>Yes</b>		Class.....	EIA Mandatory EIAR required	
<b>No</b>			Proceed to Q.3	
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>				
		<b>Threshold</b>	<b>Comment (if relevant)</b>	<b>Conclusion</b>
<b>No</b>		N/A		No EIAR or Preliminary Examination required
<b>Yes</b>		Class/Threshold.....		Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>		<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_