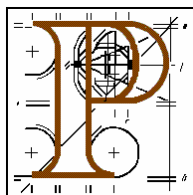


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

**Dublin City**

**Planning Register Reference Number: 3383/12**

An Bord Pleanála Reference Number: PL 29N.241524

**APPEAL** by Jacqueline Lambert of 14 Kilbarron Road, Coolock, Dublin against the decision made on the 13<sup>th</sup> day of December, 2012 by Dublin City Council to grant subject to conditions a permission to James Mulvaney care of Gavin Byrne Architect of 2 Drummartin Road, Goatstown, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Change of use of the existing shop-unit into a restaurant/café. The works shall include internal alterations as necessary and the provision of new air extract/ventilation equipment to the existing flat-roofed extension to the rear of the shop unit, all at 16 Kilbarron Road, Kilmore West, Coolock, 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.**

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

Having regard to the nature of the proposed development, to the pattern of development in the area and to the zoning of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be carried out 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.

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

2.
  - (a) The opening hours of the restaurant shall be between 0900 hours and 1930 Monday to Saturday and 1000 and 1830 on Sundays.
  - (b) The counter area shall not be extended except by way of a separate planning permission.
  - (c) Deliveries shall not take place prior to 0800 hours Monday to Friday and not before 1200 hours on weekends.

**Reason:** In the interest of the residential amenity and orderly development.

3. (a) The proposed stainless steel bollards shall be removable and not fixed. Prior to the commencement of development, details of the bollards shall be submitted to the planning authority for written agreement.
- (b) The existing bus stop shall be removed at the applicant's expense to the requirements of Dublin Bus.

**Reason:** In the interest of traffic safety and orderly development.

4. 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 and to ensure a proper standard of development.

5. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations, 2001, shall be displayed or erected on the building or within the curtilage of the site without the prior grant of planning permission.

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

6. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

7. 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 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.

8. Signage for the premises shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

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

**Dated this            day of            2013.**