



An
Bord
Pleanála

Board Direction
PL06F.246306

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 21st 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the current Development Plan, to the nature and scale of the proposed development and to the pattern of development in the area, 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 and would not give rise to a traffic hazard. 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 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 development shall comply with terms and conditions attached to the planning permissions granted under PL06F.220950 and Reg. Ref.09A/0599 for the overall development of the site, except as amended by any of the following conditions.

Reason: In the interest of clarity

3. The following management requirements shall be complied with Monday to Sunday:

- a. The restaurant shall not operate after 11pm.
- b. Deliveries shall not be permitted between 10pm and 7am.
- c. No seating or smoking shall be permitted to the rear of Unit no.2.
- d. No seating shall be permitted to the front of Unit no.2 without a prior grant of planning permission.
- e. No music or amplified sound should emanate from Unit no.2.

Reason: In the interest of residential amenity.

4. The following car parking and delivery requirements shall be complied:

- a. The developer shall submit details of the car parking and loading spaces that will serve the restaurant to the planning authority for written approval before development commences.
- b. No residential spaces within the basement car park shall be used to meet the parking requirements of the proposed restaurant.

Reason: In the interest of residential amenity and the proper planning and sustainable development of the area.

5. The following design and layout requirements shall be complied:
- a The developer shall submit details of the signage and any shutter boxes or shutter grilles to the planning authority for written approval before development commences.
 - b No additional advertising sign or structure shall be erected, except for those which are exempt development, without a prior grant of planning permission.
 - c No adhesive material shall be affixed to the windows of the unit, unless otherwise agreed in writing with the planning authority.
 - d A lobby shall be provided between the kitchen and back door.

Reason: In the interest of visual amenity, residential amenity and the proper planning and sustainable development of the area.

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

Reason: In the interest of public health and to ensure a proper standard of development.

7. The site development and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

8. The site works and building works required to implement the development shall only be carried out between 7.00 hours and 18.00 hours, Monday to Friday and between 08.00hours and 14.00 hours on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To safeguard the residential amenities of adjacent dwellings.

Board Member

Paul Hyde

Date: 21.07.16