



An
Bord
Pleanála

Board Direction
BD-005150-20
ABP-305796-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/02/2020.

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

It is considered that the development for which permission and retention of planning permission is sought would, subject to compliance with the conditions set out below, not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would generally 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. Water supply and drainage arrangements shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

3. Site development and building works shall be carried out between the hours of 7 a.m. to 6 p.m. Mondays to Friday, 8 a.m. to 2 p.m. on Saturdays and not at all on Sundays or 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.

4. There shall be no loudspeaker announcements, playing of any music (live or recorded) of any kind, the screening of any shows, the projection of any audio or visual equipment or projection of any other audible material projected in or from the roof terrace.

Reason: In the interest of environmental amenity.

5. There shall be no serving, preparation or consumption of hot or cold beverages or food within the second-floor roof terraced.

Reason: In the interest of environmental amenity.

6. The link between the courtyard at the rear of No. 38 Camden Row and Opium shall be restricted to staff only and shall not be used as a public link between the two premises.

Reason: In the interest of environmental amenity and the proper land use planning of the local area.

7. The hours of opening of No. 37 Camden Row and the courtyard to the rear of No. 38 Camden Row shall be 7a.m. to 11p.m. Monday to Sunday for a temporary period until the 24th day of January 2021. This is in keeping with the consented temporary opening hours for No. 38 Camden Row under the Planning Authority planning reference 4206/18. Any extension to these specified hours shall be the subject of a separate grant of planning permission.

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

(a) The door of the seated area to be retained at No. 37 Camden Row shall not open out onto the public footpath unless otherwise agreed in writing with the Transportation Planning Division.

(b) All costs incurred by the Planning Authority, including any repairs to the public roads services necessary as a result of the development, shall be at the expense of the developer.

(c) The developer shall comply with the requirements set out in the Code of Engineering Practice for works on, near or adjacent to the Luas Light Rail system

Reason: In the interest of traffic safety and to ensure that there is no adverse impact on Luas operations and safety concerns.

9. The developer shall comply with the requirements set out in the Codes of Practice issued by the Noise and Air Pollution Section of Dublin City Council.

Reason: To ensure a satisfactory standard of development.

Board Member

Date: 14/02/2020

Dave Walsh