



An
Bord
Pleanála

Board Direction
BD-011498-22
ABP-314122-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/11/2022.

The Board decided to grant retention 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 Z3 zoning of the site and Section 16.25 of the Dublin City Development Plan 2016 – 2022 and the pattern of uses in the vicinity of the site, it is considered that, subject to conditions, the retention of the restaurant and food takeaway service would be appropriate under the zoning and from a wider land use perspective. Subject to the compliance with the attached conditions, the food takeaway service would be compatible with the amenities of the area and the traffic generated by this service would be capable of being accommodated without undue pressure upon the local road network and its associated parking provision. No water or Appropriate Assessment issues arise. The proposal 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 use shall comply with conditions attached to the permission granted by Dublin City Council under planning application register number 3909/19, unless amended by the permission hereby granted.

Reason: In the interest of clarity.

3. A scheme shall be submitted to, and approved in writing by the planning authority, for the effective control of fumes and odour from the premises. This scheme shall be submitted no later than eight weeks following this order to grant permission. The scheme shall be implemented to the satisfaction of the planning authority and thereafter permanently retained.

Reason: In the interest of public health and amenity.

4. The food takeaway service shall only operate in conjunction with the restaurant, and it shall not operate if the restaurant is not open to the public.

Reason: In the interest of orderly development.

5. Closing time for the restaurant and food takeaway service shall be no later than 22.00 hours daily.

Reason: In the interest of residential amenity.

Board Member

Patricia Calleary.

Date: 25/11/2022

Patricia Calleary

