

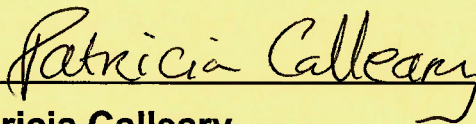
An
Coimisiún
Pleanála

Commission Direction
CD-000269
PL-500400-DN-25

The submissions on this file and the Inspector's report were considered at a meeting held on 13 March 2026.

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

Planning Commissioner:



Patricia Calleary

Date:

13th day of March 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the location of the development within an existing car park adjoining an existing commercial premises and a pedestrian access to the Phoenix Park it is considered that the proposed development and the development proposed to be

retained would be in accordance with the policies and objectives of the Dublin City Development Plan 2022-2028 and limiting the permission to a five-year period would protect the residential amenities of the area. The proposed development and the development proposed to be retained 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, as amended by the further plans and particulars received by the planning authority on the 27th day of June 2025, 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. Works proposed to the public road and public realm as indicated on particulars received by the planning authority on the 27th day of June 2005 shall be omitted.

Reason: In the interest of clarity and having regard to the temporary nature of the permission hereby granted.

3. The period during which the development hereby permitted may be carried out shall be five years from the date of this Order. The structure shall then be

removed unless, prior to the end of the period, permission for its retention shall have been obtained.

Reason: Having regard to the nature and location of the development, the Commission considers it appropriate to limit the period of validity of this permission of five years to allow for a review of the development having regard to the circumstances then pertaining.

4. The proposed development shall be amended such that the planters and associated screening shall be omitted.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity.

5. The facility shall only be open to the public between the hours of 0730 to 2000 Monday to Sunday.

Reason: In the interest of orderly development.

6. (a) Within eight weeks of this Order the applicant shall submit for the written agreement of the planning authority details of the range of foods to be sold from the container cafe, and methods to heat/reheat food items on site.

(b) The premises shall not be used for the sale of alcohol or for the cooking of food.

Reason: In the interest of orderly development.

7. No signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), other than those shown on the drawings submitted with the application, shall be erected or displayed on the structure or within the curtilage of same unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and to protect the character of the area.

8. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: 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.