

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2485/16

An Bord Pleanála Reference Number: PL 29S.246669

APPEAL by Mary Kane Kenyon of 3A Chapel Avenue, Irishtown, Dublin against the decision made on the 6th day of May, 2016 by Dublin City Council in relation to an application by Esc Bar and Restaurants Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin for permission for amendment of condition number 3 and condition number 4 of planning register reference number 2379/98. The amendments are as follows: amend the permitted opening hours under condition number 3 to coincide with public licence hours, such that condition number 3 now reads: 'premises shall not be open to the public nor shall members of the public be on the premises between the hours of 0100 and 0800 on any day'; and to amend condition number 4 to permit online and in-house marketing activities for events held at the premises. All at 'Sober Lane', 78/80/82 Irishtown Road, Irishtown, Dublin, a protected structure (RPS Number 4006) in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the amendment of condition number 3 of planning register reference number 2379/98 to read 'premises shall not be open to the public nor shall members of the public be on the premises between the hours of 0100 and 0800 on any day' and to refuse permission for the amendment of condition number 4 of planning register reference number 2379/98 to allow for organised functions).

DECISION

GRANT permission for the amendment of previous permission condition number 3 of register reference number 2379/98, in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the amendment of previous permission condition number 4 of planning register reference number 2379/98 based on the reasons and considerations marked (2) under.

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 (1)

Having regard to the pattern of development in the vicinity and the planning history of the subject site, it is considered that the proposal to amend condition number 3 of planning permission register reference number 2379/98 to permit later closing hours on Saturday and Sunday mornings only by 30 minutes from the limits set out in that permission would not seriously injure the amenities of properties in the vicinity.

CONDITIONS

1. The development shall be carried out and completed in accordance with the 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.

