

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2057/16

An Bord Pleanála Reference Number: PL 29S.246841

APPEAL by Alan and Aine Deacon and others care of Michael P.G. Wall of 31 Pembroke Lane, Ballsbridge, Dublin against the decision made on the 7th day of June, 2016 by Dublin City Council to grant subject to conditions a permission to Rock and Blues Limited care of Dempsey Architects of Apartment 13 "Liffey", Cois Abhainn, Sallins Road, Clane, County Kildare in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The 'Blucaffe' to be located at Unit Number 3 Aston Quay together with a new shopfront. Retention of the location of the 'Gypsy Rose Bar' from Unit Number 5 Aston Quay to Unit Number 4 Aston Quay at ground level and for retention of reduction in floor area of the 'Gypsy Rose' music venue from Units Numbers 3, 4 and 5 to Units Numbers 3 and 4 only at basement level. All at Units Numbers 3, 4 and 5 Aston Quay, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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

Having regard to the zoning objectives for the area and 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 be acceptable in terms of traffic safety and convenience. 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. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

3. A noise monitoring programme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, to include an annual review undertaken by a qualified acoustic engineer at the nearest noise sensitive location. The developer shall carry out any amendments to the subject development requested by the planning authority subject to the review.

Reason: In the interest of protecting the amenity of the nearby residential properties.

4. Notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.