

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2651/16

An Bord Pleanála Reference Number: PL 29N.247269

APPEAL by Darren Harrison care of AOS Planning of 2nd Floor, The Courtyard, 25 Great Strand Street, Dublin against the decision made on the 26th day of August, 2016 by Dublin City Council to grant subject to conditions a permission to Andrei Maritoi care of Edmond J. Desmond and Associates of 85 Seatown Villas, Swords, County Dublin.

PROPOSED DEVELOPMENT: Change of use from fruit and veg shop to Italian fish and chip take away shop, opening hours 12.00 midday to 2.30 pm and 4.00 pm to 12.00 midnight, Sunday to Thursday. 12.00 midday to 2.00 pm and 4.00 pm to 1.00 am Friday and Saturday at 139A North Strand Road, Dublin.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations 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 nature and scale of the proposed development, the pattern of development in the surrounding area and the provisions of the Dublin City Development Plan 2016-2022, including the criteria set out in section 16.24 in relation to takeaway uses, it is considered that the proposed development would seriously injure the residential amenities of the neighbouring dwellinghouses and the surrounding areas due to evening and night-time noise and general disturbance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017.