

Board Order PL 29S.248262

Planning and Development Acts 2000 to 2017 Planning Authority: Dublin City Council Planning Register Reference Number: 2018/17

Appeal by Farmer Browns Eatery Limited care of James M. Briscoe of 68 Carrickhill Road, Portmarnock, County Dublin against the decision made on the 2nd day of March, 2017 by Dublin City Council to refuse permission.

Proposed Development: Continuation of restaurant use as permitted by Dublin City Council under planning register reference number 2533/13, An Bord Pleanála appeal reference number PL 29S.242244, all at ground floor, 25A Bath Avenue, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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 location of the restaurant directly adjacent to residential properties, the Z1 zoning on the site, the guidance in section 16.24 of the Dublin City Development Plan 2016-2022 for the appropriate location of restaurants, section 14.7 of the Dublin City Development Plan 2016-2022 for uses within transitional zones and the shopfront guidelines, it is considered that the proposed development, consisting of a restaurant, would seriously injure the residential and visual amenities of the area by reason of noise emissions and protruding canopy for outdoor seating. 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