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Bord  
Pleanála

**Board Order**  
**PL 29N.249326**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3032/17**

**Appeal** by Ibrahim Abdelrazek care of Donal McNally Architects of 6 White Swan Business Centre, South Circular Road, Dublin against the decision made on the 6<sup>th</sup> day of September, 2017 by Dublin City Council to grant subject to conditions a permission to Cosgrave Developments Limited care of Brock McClure Planning Consultants of 63 York Road, Dún Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use from retail to café/restaurant use including minor internal alterations and associated signage at number 22 Lower Ormond 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 'Z5 - city centre' zoning, the nature and scale of the proposed development, and the existing pattern of development in the vicinity, including the clustering of cafés and restaurants, the city centre location and policies CEE12 and CEE18 of the Dublin City Development Plan 2016-2022, which support the development of cafés and restaurants in suitable locations, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would be in accordance with the provisions of the Dublin City Development Plan 2016-2022 and would not detract from the character or setting of the Conservation Area or the adjoining Protected Structure. 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, as amended by the further plans and particulars submitted on the 10<sup>th</sup> day of August, 2017, 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. The restaurant shall not incorporate a takeaway or a delivery element unless a further grant of planning permission is obtained in this regard.

**Reason:** To protect the amenities of the area and to limit the scope of the proposed development to that for which the planning application was made.

3. The premises shall not be amalgamated with the adjoining premises at number 21 Lower Ormond Quay unless a separate grant of planning permission is obtained in this regard.

**Reason:** To protect the amenities of the Conservation Area and to limit the scope of the proposed development to that for which the planning application was made.

4. Details of the external shopfront and signage shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.
- (a) Signs shall be restricted to a single fascia sign using sign writing or comprising either hand-painted lettering or individually mounted lettering.
  - (b) Lighting shall be by means of concealed neon tubing or by rear illumination.
  - (c) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission.
  - (d) Any internal shutter shall be only of the perforated type, coloured to match the shopfront colour.
  - (e) No adhesive material shall be affixed to the windows or the shopfront.
  - (f) 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 building or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** In the interest of the visual amenities of the area.

