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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2649/18**

**Appeal** by James Dunne care of Cunnane Stratton Reynolds of 3 Molesworth Place, Dublin against the decision made on the 29<sup>th</sup> day of May, 2018 by Dublin City Council to refuse permission to the said James Dunne for the proposed development.

**Proposed Development:** (1) Internal alterations to provide link at ground and first floors of 32 Clarendon Street and 3 Chatham Row to provide an enlarged restaurant/public house premises. (2) Change of use of 2 and 3 Chatham Row from restaurant use to public house/restaurant use. (3) Alterations to ground floor windows and doors to 3 Chatham Row. (4) All associated works. All at 2 Chatham Row (first floor), 3 Chatham Row and 32 Clarendon Street, 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 objective for the site and to the policies of the Dublin City Development Plan 2016-2022, it is considered that the proposed development, subject to compliance with the conditions set out below, would not result in a public house/restaurant of excessive size, would not result in an imbalance of uses or loss of diversity in the area, would not be detrimental to the character of the adjacent Architectural Conservation Area or the character of the Conservation Area, and would not seriously injure the residential amenity or the value of property in the vicinity. 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. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the buildings unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

3. Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

4. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads and Traffic Department and the Noise and Air Pollution Section of the planning authority.

**Reason:** To ensure a satisfactory standard of development.

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**Paul Hyde**

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

**Dated this            day of            2018.**