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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4363/17**

**APPEAL** by James O'Connor of 45 The Paddocks, South Circular Road, Kilmainham, Dublin against the decision made on the 15<sup>th</sup> day of August, 2018 by Dublin City Council to grant subject to conditions a permission to Bo and Wei Limited care of Noonan Moran Architecture of 139 Baggot Street Lower, Dublin.

**Proposed Development** Part change of use from retail to food production kitchen to the rear including minor internal alterations, a proposed upgraded shop front and new fascia signage. The intention is to rearrange some internal walls to accommodate the retail area to the front of the unit, together with storage, fridges, stores and a new fully part M compliant WC towards the rear of the site. On the first floor they are retaining the admin/office area, first floor front window alterations. The existing shop front will be replaced to accommodate new traditional timber and glass shop front and signage design which is in keeping with street. Retention is also sought for translucent polycarbonate roof in laneway/driveway with associated yard work which is connected to Suir Road with rolling shutter doors, all at 47 Suir Road, Dublin.

**Decision**

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**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 site within a predominantly residential area and to which the zoning objective Z1 “To protect, provide and improve residential amenities” applies, and having regard to the nature and scale of the proposed development, it is considered that the proposed development and the development proposed for retention would seriously injure the residential amenities of the area, would be contrary to the objectives of the current Development Plan for the area and the zoning designation and would thus materially contravene the provisions of the Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Dave Walsh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**