



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3430/18

Appeal by Liffey View Owners' Management Company care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 3rd day of January, 2019 by Dublin City Council to grant subject to conditions a permission and retention permission to Maximus Sos Limited care of Tom Phillips and Associates, Town Planning Consultants, of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from shop use to bakery (63 square metres) with ancillary café/shop use (42 square metres); one number frameless faced illuminated panel sign (measuring 3.1 square metres, approximately) and one number projecting sign (measuring 0.3 square metres, approximately); and ancillary staff and storage areas; and will consist of a new ventilation system and ancillary site works, at Offbeat Donut Company of Unit Number 3 George's 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 zoning objective of the area, the design, layout and scale of the proposed development to be retained and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity. The proposed development for which permission to retain is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application and by the further particulars received by An Bord Pleanála on the 25th day of February, 2019, 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 retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The retained use of the premises shall be solely for the use as a café, which will include the topping, finishing and retailing of doughnuts and the sale of coffee and soft drinks. No baking, production of dough or frying of doughnuts shall occur at the subject premises, unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of clarity.

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

Dated this day of 2019.