



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3501/19

Appeal by Drury Hall Management Limited care of Mathews Property Management of 29 Norfolk Road, Phibsboro, Dublin against the decision made on the 6th day of November, 2019 by Dublin City Council to grant subject to conditions a permission to Sisu Izakaya Limited care of D-Architecture of 4 Longford Vilas, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of a change of use from a shop to restaurant at Unit 4, Drury Hall, Stephens Street Lower, 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 central city location, the zoning objective for the site and the policies of the current Dublin City Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenity of the area. The development proposed to be retained 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, as amended by the further plans and particulars submitted on the 10th day of October 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The change of use hereby approved is for a restaurant only, and any proposal to operate as a takeaway (sale of fried foods) for the consumption on or off the premises shall be subject to a separate planning application.

Reason: In the interest of proper planning and sustainable development and in order to protect surrounding residential amenity.

3. The development hereby permitted shall be used only as a licenced restaurant and shall not operate as a public bar without a prior grant of planning permission.

Reason: In the interest of proper planning and sustainable development and in order to protect surrounding residential amenity.

4. The projecting sign and illuminated strips shall be removed from the shopfront.

Reason: In the interest of clarity.

5. The restaurant shall operate between the hours of 1200 to 2200.

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

6. Within six months of this grant of permission for retention the developer shall submit an appropriately scaled and legible drawing indicating the bin storage on site to be agreed in writing with the planning authority.

Reason: To ensure the provision of refuse facilities.

7. Within six months of this grant of permission for retention, the developer shall submit the following drawings for the written agreement of the planning authority, details of where the existing ducting system terminates and the location of the nearest habitable dwelling with an openable window. The distance from the termination point to the nearest openable window must be indicated on the drawing.

Reason: In the interest of clarity and to ensure an adequate standard of development.

Paul Hyde

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

Dated this day of 2020