



An
Bord
Pleanála

Board Order
ABP-306760-20

Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 4606/19

Appeal by Gambetta Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan, County Dublin against the decision made on the 4th day of February, 2020 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: The application seeks to exclude a condition relating to opening hours under the previously approved permission under An Bord Pleanála appeal reference number PL 29S.249126 (planning register reference number 3150/17). The description of the development under the granted application is as follows: Planning is sought for the following at number 16 Harcourt Street, extension to existing current use as licensed restaurant at basement level and additional use as a cafe bar, with use extended to external courtyard and external mezzanine level above courtyard level; Basement: external works to include the removal of existing planters at the front entrance along Harcourt Street, cleaning and upgrading of front entrance area, installation of new steps over existing steps for ambulant disabled access, together with new handrails; removal works at basement level internally to accommodate one number bar, storage, toilets, cloakroom,

seating areas and toilets; demolition of 21st century single storey rear extension to accommodate the construction of toilets, storage area, configuration of new entrance, stairs and platform lift from basement to ground floor external courtyard level; Ground Floor/Annex to number 16: internal removal works at ground floor level to rear of main building to accommodate three number replacement WC's, together with landscaping, seating areas and construction of new external stairs to first floor terrace and mezzanine floor; Mezzanine: new structure to replace existing roof of basement rear extension to accommodate external seating area with access to toilets at ground floor level in main building; Planning is also sought for the following at number 16 Harcourt Street Mews, change of use from warehouse/storage use to licensed restaurant/cafe bar; modifications and upgrading works to existing facades; Basement: the construction of a basement to accommodate a kitchen, keg store, keg hatch, cold store and staff area; Ground Floor: works to accommodate new stairs to new proposed first floor, new disabled toilet, lobby to courtyard area and café/bar seating; First Floor: construction of new first floor level to accommodate new bar, stairs to ground floor and access to new external terrace facing courtyard area; In addition, planning is sought for the following at number 19 Montague Street; change of use from pizzeria to licensed restaurant/cafe bar; works to also include new shop front configuration along Montague Street and Montague Lane with bifolding doors, shutters, and servery to Montague Street; Ground Floor: removal works internally to accommodate bar, seating areas and servery; First Floor: removal works internally to accommodate toilets, storage and seating areas with new flat roof section over female toilets; The proposal also includes new connections between number 16 mews and number 19 Montague Lane at ground and first floor level. All with associated signage, lighting, landscaping and associated site works.

at number 16 Harcourt Street, Dublin (a Protected Structure, Dublin City Council RPS number 3525), Mews to rear of number 16 Harcourt Street facing onto Montague Lane and number 19 Montague 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 location of the site close to the city centre, to the nature of the permitted development on the site and that of existing development in the area, and to the provisions of the Dublin City Development Plan 2016 – 2022 it is considered that, subject to compliance with the conditions set out below, the proposed omission of condition number 2 attached to the grant of permission under An Bord Pleanála appeal reference number PL 29S.249126 (planning register reference number 3150/17) would not seriously injure residential amenities, environmental qualities or established character and functions of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with conditions numbers 1 to 10 attached to the grant of permission under An Bord Pleanála appeal reference number PL 29S.249126 (planning register reference number 3150/17) on the 21st day of May, 2018, except as may otherwise be required in order to comply with the following condition.

Reason: In the interest of clarity,

2. Condition number 2 attached to the grant of permission under An Bord Pleanála appeal reference number PL 29S.249126 (planning register reference number 3150/17) on the 21st day of May, 2018, shall be omitted. The operational hours for the bar and restaurant shall be confined to between 0700 hours and 2330 hours on Mondays to Thursdays, 0700 hours and 0030 hours on Fridays and Saturdays and 0700 hours and 2300 hours on Sundays. Nightclub use is not permitted.

Reason: In the interest of clarity, and the amenities, environmental qualities, and the established character of the area.

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

Dated this day of 2020.