



An
Bord
Pleanála

Board Order ABP-313309-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3130/22

Appeal by Bernard Farrell care of Arc Architectural Consultants Limited of 30 Dalkey Park, Dalkey, County Dublin against the decision made on the 16th day of March, 2022 by Dublin City Council to refuse permission.

Proposed Development: Retention of a permanent roof structure (186.9 square metres) to rear (south-east) outdoor licensed area, toilets (12.5 square metres) and external plant room/structures (63.3 square metres) to the rear (south-east) outdoor yard, all at ground level, and timber-clad plant rooms and stairs (south-east) at first floor (49.2 square metres), all at Clonliffe House, 43/44 Ballybough Road, Dublin.

Decision

REFUSE permission for the above development for the reasons and considerations set out below.

Reasons and Considerations

Having regard to the site's location abutting, and in close proximity to, residential development with the land-use zoning objective Z1 – 'to protect, provide and improve residential amenities', and also having regard to the provisions of section 14.6 'Transitional Zone Areas' of the Dublin City Development Plan 2022-2028, it is considered that the structures proposed to be retained would facilitate the significant intensification of the public house use at this location, which would adversely impact on the residential amenities of neighbouring properties by reason of noise generated. The development proposed to be retained would be contrary to the said section 14.6 of the development plan and would conflict with the Z1 zoning objective. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the retention of the structures proposed to be retained would facilitate the significant intensification of use at this location and the Board was not satisfied that the noise generated could be adequately addressed by way of conditions. The development proposed to be retained, if granted, would adversely impact on the established residential amenities of the area by reason of noise generated.



Tom Rabbette

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 23rd day of August 2023.