

An
Bord
Pleanála

Board Order
ABP-314051-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3817/22

APPEAL by Dermot Smithers care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, Cork against the decision made on the 17th day of June, 2022 by Dublin City Council to refuse permission for the proposed development.

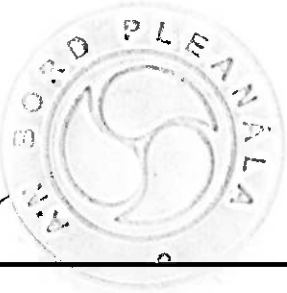
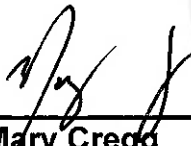
Proposed Development: Change of use from take-away to café/restaurant for the sale of hot and cold food on and off the premises, construction of a single storey side and rear extension at ground floor level, alterations to the existing roof, including the insertion of rooflights, internal changes, signage and all ancillary site development works, all at 45 Old Kilmainham, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

The site is located in a residential area with the zoning objective Z1 'Sustainable Residential Neighbourhoods' with the land use objective 'to protect, provide and improve residential amenities' under the Dublin City Development Plan 2022-2028. It is considered that the introduction of a café/restaurant would constitute an unacceptable use at this location and would result in an undue and negative impact on the residential amenities of neighbouring properties. The proposed development would be contrary to the development plan objective and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Cregg
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 7th day of November 2023.