



An  
Bord  
Pleanála

## Board Order ABP-315517-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 5047/22**

**Appeal** by Darren Costello of 31 Lennox Street, Portobello, Dublin against the decision made on the 6<sup>th</sup> day of December, 2022 by Dublin City Council to refuse permission.

**Proposed Development:** Extension of the business opening hours (currently Monday to Sunday 9.30am to 5.00pm) from Sunday to Tuesday 9.30am to 5.00pm and Wednesday to Saturday inclusive from 9.30am to 10.30pm at 31 Lennox Street, Portobello, Dublin (a protected structure).

### **Decision**

**GRANT permission for the above proposed development for the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the scale and nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be compatible with the Dublin City Development Plan 2022-2028 Z1 Zoning and would not seriously injure the residential amenity of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The hours of operation shall be as follows:

- Sunday, Monday and Tuesday 9am to 5.30pm.
- Wednesday to Saturday 9am to 10.30pm, with the outdoor terrace to the front closed at 8pm.

**Reason:** In the interest of the residential amenities of property in the vicinity.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this *18<sup>th</sup>* day of *January*, 2024.