



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3178/23

Appeal by Ruslan Mocharskyy care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 3rd day of April, 2023 by Dublin City Council to grant subject to conditions a permission to Cedar Real Estate Fund 1 care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from a security hut to a coffee dock including associated signage with integrated lighting on top of the existing roof on the eastern and northern elevations. The development will also include for the partial demolition of the eastern facade to provide for a new serving hatch and all associated site development works. There is no change to the gross floor area of four square metres as a result of the proposed development, all on a site at Iveagh Court, Harcourt Road, Dublin. The site is located within Iveagh Court which is bound by Charlemont Street to the west, Harcourt Road to the north, Harcourt Lane to the east and Albert Place West to the south.

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.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, the nature and scale of the proposed use as well as the location and context, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the commercial, residential, pedestrian or traffic amenities of the area or 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 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless shown on the drawings hereby approved or otherwise authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

3. The hours of operation shall be between 0700 hours and 2000 hours Monday to Friday and between 0800 hours and 1800 hours on Saturday, Sunday and public holidays.

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

4. A scheme for the storage and collection of waste, in addition to details of litter control within the vicinity of the premises, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the amenities of the area and to provide for a satisfactory standard of development.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *25th* day of *August*, 2023.