

An
Coimisiún
Pleanála

**Commission Order
PL-501422-DR-26**

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0651

Appeal by Niall Melvin against the decision made on the 1st day of May 2026, by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Chawkes Woodfired Pizza Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Three year temporary retention permission for a self-contained Pizza Catering Truck located within Dunnes Stores outdoor seating and gardening area and the retention of two associated advertising signs and all associated works. The proposed operating hours for the catering truck are daily from 1400 to 2300 hours.

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 location of the site lands on lands with the zoning objective Neighbourhood Centre, as set out in the Dún Laoghaire Rathdown County Development Plan 2022-2028 and which is supportive of the pizza catering truck development, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable form of development, would not adversely impact on the visual or residential amenities of the area, would comply with the zoning objective and wider provisions of the current development plan for the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 5th day of April 2026, 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 retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be three years from the date of this Order. The structure shall be removed on the expiration of this period and the site reinstated unless, prior to the end of the period, permission for its retention shall have been granted by the planning authority or An Coimisiún Pleanála on appeal.

Reason: Having regard to the nature of the development and to cater for orderly development of the area, the Commission considers it appropriate to specify a period of validity of this permission.

3. The pizza catering truck shall operate only between the hours of 1400 and 2300, seven days a week. No operation shall occur outside these hours.

Reason: In the interest of residential amenity.

4. The outdoor seating area shall be used solely by customers of the pizza catering truck and only for the consumption of items purchased from the pizza catering truck. No external food or beverages shall be consumed within the seating area.

Reason: In the interest of residential amenity.

5. The site shall be closed and secured outside of operating hours. All seating and associated areas shall be cleared of customers by 2300 hours daily and the site shall be secured to prevent unauthorised access.

Reason: In the interests of residential amenity and public safety.

6. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

7. All foul sewage and soiled water shall be discharged to the public foul sewer.

Reason: In the interest of public health.

8. The solid fuel used to heat the ovens, must be an approved fuel in accordance with S.I. No. 529/2022 – Air Pollution Act 1987 (Solid Fuels) Regulations 2022 (or any replacement regulations that may come into force in the future). For clarity this means a solid fuel product which is used for the purposes of combustion for heating (space or water) conforms with the requirements as set out in Regulation 5 of the above regulations in respect of the product:

Solid fuel to be considered an approved solid fuel must conform with the requirements specified below:

Fuel products which are 100% biomass products, including wood products and wood logs, supplied in units of two cubic metres or less, must have a moisture content of (a) less than 25% and (b) with effect from 1st of September 2025, less than 20%.

Reason: In the interest of public health.

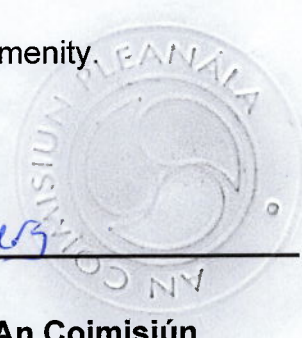
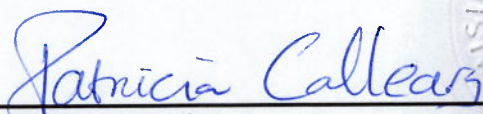
9. (a) There shall be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.

- (b) Suitable and sufficient refuse facilities including recycling facilities and waste segregation must be provided for the storage of waste material. Such storage facilities must have adequate signage, drainage and lighting. Facilities must be pest proof and secure, the area should be located so that it does not cause nuisance by way of smell, noise or attraction of vermin or animals to any area or neighbouring area.

Reason: To protect the amenities of property in the vicinity of the site.

10. There shall be no clearly audible tonal component or impulsive component in the noise emission from the development at any noise sensitive location*, and noise from the development shall not give rise to sound pressure levels (Leq 15 minutes) measured at *noise sensitive locations which exceed the following limits: 55 dB(A) between the hours of 1400 and 1800 Monday to Friday inclusive (excluding bank holidays), or 45 dB(A) at any other time. **Note:** *Noise sensitive location is deemed to be any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.

Reason: In the interest of public health and residential amenity.



Patricia Calleary

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 25th day of August 2026