

An  
Coimisiún  
Pleanála

**Commission Order  
PL-501461-DN-26**

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**Planning and Development Act 2000, as amended**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB5915/25**

**Appeal by** Michael Connolly against the decision made on the 7<sup>th</sup> day of May, 2026 by Dublin City Council to grant subject to conditions a permission to Party Food 4U Limited.

**Proposed Development:** Change of use from retail to a pizzeria takeaway, which also includes preparation of food for social events for delivery and takeaway, installation of signage above the front door and graphics on the main door, provision of a new filtered extract and intake ventilation grill to the front of the building behind the existing louvres, and all ancillary site works, all at Unit 4, River Centre, Rathborne Place, Dublin.

## **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 Policy objective CCUV13 of the Dublin City Development Plan which seeks to promote the temporary use of vacant premises in order to reduce the level of vacancy on streets in the city's urban centres, it is considered that the proposed utilisation of a vacant unit for use of a pizzeria for both delivery and takeaway subject to conditions set out below would contribute to the vitality and vibrancy of the area, would not adversely impact on surrounding residential amenities, would generally be acceptable in terms of traffic safety and convenience and would otherwise be in accordance with the proper planning and sustainable development of the area. In deciding not to accept the Inspector's recommendation to refuse permission, the Commission considered that the proposed development would result in the appropriate use of a long-term vacant unit which would add to the vitality and vibrancy of the shopping centre.

The Commission had concerns regarding the long-term nature of vacant of the unit which does not appear to have been occupied since to Commissions previous decision, and such long-term vacancy rates undermine the viability of the neighbourhood centre as a whole. The Commission did not share the Inspectors concerns in relation to the road network or level of car parking afforded to the use. The Commission considered that any use of the vacant unit, particularly a retain use which would operate during normal business hours, is likely to give rise to similar if not greater demand for car parking, the fact that the takeaway service will predominantly operate in the evening time, the highest potential demand for car parking will occur at time when other premises within the neighbourhood centre are closed are closed.

Furthermore, the Commission noted that since its previous decision, there is a larger catchment area in terms of more recent residential development and having regard to the neighbourhood centre's central location there would be a higher demand for such a takeaway facility and a greater propensity to

access the takeaway by foot. The Commission was also satisfied that an appropriate service delivery management plan can be put in place involving small delivery vehicles which will not result in a traffic hazard.

Finally, having regard to objective in the development plan to attract commercial type units to neighbourhood centres and the proposed operational hours of the takeaway facility Commission considered that the takeaway facility would not impact on residential amenity by reason of noise or late-night disturbance.

## **Conditions**

1. The development shall be carried out and completed 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 10<sup>th</sup> 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 carried out and completed in accordance with the agreed particulars.

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

2. Mitigation and monitoring measures outlined in the plans and particulars submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

**Reason:** In the interests of orderly development.

3. This permission is granted for a limited period of (3) years from the date of this grant at which date the permission shall cease and the use hereby approved shall cease, unless before this date, planning permission is granted for the continued use in this premises.

**Reason:** In the interests of the proper planning and development of the area, and so that the effect of the development may be reviewed having regard to the circumstances then prevailing.

4. The proposed operating hours and public opening hours shall be restricted to 0800 to 1500 hours (no public access), 1700 to 2230 hours Sunday to Thursday and 1700 to 2300 hours on Fridays and Saturdays. The proposed development shall not operate outside these hours.

**Reason:** In the interests of orderly development.

5. No additional extruding plant, extraction or ventilation systems other than shown on the submitted drawings shall take place above any parapet levels or on any external walls whether or not they would be exempted development.

**Reason:** In the interests of visual amenity.

6. The requirements of the Transportation Planning Division shall be undertaken as follows:
  - (a) The development shall be carried out and operated in accordance with the provisions of the Service Delivery Management Plan (SDMP). submitted to the planning authority unless otherwise amended by this condition. The SDMP shall include specific measures to ensure controlled and limited deliveries to and from the site and co-ordinate between the nearby uses. The SDMP shall

include contact details of the delivery manager on site and set out a program of monitoring. The revised SDMP shall be submitted prior to occupation for the written agreement of the planning authority.

- (b) Prior to commencement of the proposed use, the applicant shall submit revised scaled drawings for the written agreement of the planning authority showing bicycle parking spaces relocated to rear of Unit 4 to serve the proposed staff only unless otherwise agreed with the planning authority.
- (c) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

**Reason:** In the interests of traffic safety and in accordance with the Dublin City Development Plan 2022-2028.

- 7. 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.

- 8. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section.

**Reason:** To ensure a satisfactory standard of development.

9. (a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 ' Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'
- (b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.

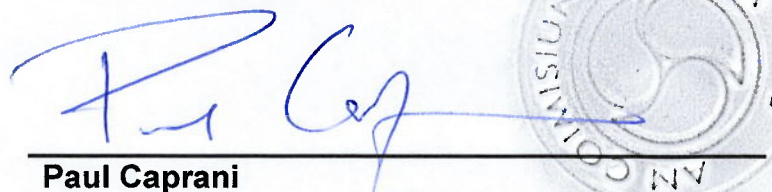
**Reason:** In order to ensure a satisfactory standard of development, in the interests of residential amenity.

10. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

11. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material. Any cleaning works required to be carried out on the adjoining public roads shall be at the developers expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.



**Paul Caprani**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 14 day of October 2026