

Summer evenings best spent outside: planning permission for outdoor venue space in Ireland

Insights - 28/05/2018

On a sunny day, it's best to socialise outdoors. However, is there planning permission for that outdoor area by your local pub?

Dublin City Council recently issued legal proceedings against a large pub located in the city centre following an abundance of noise complaints from local residents and businesses.

The premises had recently carried out a significant revamp, costing an estimate of €2-4 million. The revamp included the installation of open areas including a rooftop smoking area and an opening glass roof.

After the expensive works were completed, the pub applied for retention planning permission from Dublin City Council. The application was refused.

Dublin City Council subsequently served an enforcement notice on the premises and ultimately legal proceedings were issued.

Planning permission for licensed premises

The planning code and liquor licensing laws are two separate things - however, each has a significant impact on the other.

A licensing court will consider planning permission compliance in granting a liquor licence.

A premises which is proposed to be licensed as a bar/club/restaurant, or a previously licensed premises which is to be expanded or converted, must have the appropriate planning permissions in place. Any such changes to a licensed/unlicensed premises ought to be set out clearly in the planning application to ensure that adequate permissions are obtained.

Furthermore, obtaining the correct planning permission from the outset will make any subsequent licensing application for the premises less vulnerable to objectors.

For advice on liquor licensing and property applications, please contact Maria by emailing maria.edgeworth@ogier.com

About Ogier

Ogier is a professional services firm with the knowledge and expertise to handle the most demanding and complex transactions and provide expert, efficient and cost-effective services to all our clients. We regularly win awards for the quality of our client service, our work and our people.

Disclaimer

This client briefing has been prepared for clients and professional associates of Ogier. The information and expressions of opinion which it contains are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

Regulatory information can be found under [Legal Notice](#)

Meet the Author



[Maria Edgeworth](#)

Partner

[Ireland](#)

E: maria.edgeworth@ogier.com

Related Services

[Dispute Resolution](#)

[Property law](#)