

**An
Bord
Pleanála**

**Board Direction
BD-014225-23
ABP-317377-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/10/2023.


The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the grounds of appeal, the observations of third parties, the city centre zoning objective where off-licence is a permissible use, the small scale of the proposed development within the overall larger retail footprint of the shop, the subsidiary nature of the use complementing the existing convenience store offering and the situation of the off-licence area in an unobtrusive position within a controlled access location, it is considered that the proposed development would in general be consistent with Section 15.14.8 (Off Licenses) of the Dublin City Development Plan 2022-2028 and would 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. The use hereby approved shall only be carried out between the hours of 8.00am and 10.00pm daily Monday to Sunday and Bank/ Public Holidays inclusive, unless otherwise agreed in writing with the planning authority.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

3. Water supply and 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.

4. 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 authorised by a further grant of planning permission.

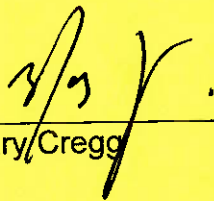
Reason: In the interests of visual amenity.

5. The following restrictions shall apply to the operation of the convenience store and the subsidiary off-licence floor area.
 - a) The off-licence floor area shall not exceed 10% of the trading area of the 212 square metre existing retail unit floor area.

- b) The area for the display area of alcohol products shall be limited to that area of the shop only as detailed on the plans submitted with the application.
- c) There shall be no advertising of the sale of alcohol products on the shop frontage.
- d) There shall be no display of alcohol products or advertising of the sale of alcohol products on or near the shop entrance and windows.
- e) The area for the display of alcohol products should be secure and monitored.

Reason: In the interest of clarity and in accordance with the provisions of Section 15.14.8 (Off Licences) of the Dublin City Development Plan 2022-2028.

Board Member



Mary Cregg

Date: 23/10/2023