

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 3950/15

An Bord Pleanála Reference Number: PL 29N.246058

APPEAL by Triode Newhill Abbey Street Limited care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 14th day of December, 2015 by Dublin City Council to refuse permission.

PROPOSED DEVELOPMENT: Provision of off-licence (7.1 square metres) subsidiary to the main retail use at Spar retail unit, 35 Abbey Street Lower, Dublin (a Protected Structure).

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the location of the proposed part off-licence on a Category 2 city centre shopping street and within the O'Connell Street and Environs Architectural Conservation Area, together with the number of similar off-licence/part off-licence uses within 1 kilometre and to the evidence of anti-social activity in the immediate vicinity of the site, it is considered that the proposal would be contrary to Dublin City Development Plan Policy RD10 which seeks "to prohibit the further expansion of off-licences or part off-licences except in areas where a compelling case can be made...". The proposal would have an overall negative impact on the environment and civic character of the O'Connell Street and Environs Architectural Conservation Area and the central shopping area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.