

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 4188/15**

An Bord Pleanála Reference Number: PL 29N.246239

**APPEAL** by Michael Anglim care of Conroy Crowe Kelly of 65 Merrion Square, Dublin against the decision made on the 11<sup>th</sup> day of February, 2016 by Dublin City Council to refuse permission.

**PROPOSED DEVELOPMENT:** Provision of a pizza facility within an existing convenience shop, which would include a pizza delivery service and pizza take-away service, together with ancillary minor works, comprising purpose-built bin areas and minor changes to the existing ventilation system. The proposed pizza facility will be subsidiary to the retail use of the existing shop, all at the junction of Donard Road and Blackhorse Avenue, Dublin.

## **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**

The application site is located within an area where the land-use zoning objective is Z1 – ‘to protect, provide and improve residential amenities’, as indicated on Map E of the Dublin City Development Plan 2011-2017, this objective is considered reasonable. The proposed development includes for a ‘takeaway’ use as defined in Appendix 29 of the Development Plan. Such a land-use is neither a permissible use nor an open for consideration use on Z1 zoned lands as indicated in section 15.10.1 of the said Plan. The proposed development would, therefore, be contrary to the land-use zoning objective and contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2016.**