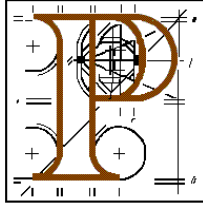


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2284/16

An Bord Pleanála Reference Number: PL 29N.246570

APPEAL by Architects Workshop Limited care of O'Connor Whelan Planning Consultants of 222-224 Harold's Cross Road, Dublin against the decision made on the 13th day of April, 2016 by Dublin City Council to refuse permission.

PROPOSED DEVELOPMENT: Subdivision of the ground floor into two units, the partial change of use of one unit from a shop to a betting office (totalling 120 square metres), a new internal bin storage area (11.6 square metres), elevational alterations to the front façade including a revised shopfront at ground floor and a new door opening at the former Xtravision premises on the corner of North Road and Seamus Ennis Road, Finglas, 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

1. The site is located within a Key District Site where the land-use zoning objective is to provide for and improve mixed services facilities. Section 17.28 of the Development Plan (Betting Offices) states that it is an objective of the planning authority to prevent a concentration of betting offices in the city, thereby ensuring the number of units in a city street, district or neighbourhood centre is not disproportionate to the overall number of community facilities and shop units and that the provision of betting offices will be controlled having regard to, inter alia, the existing proliferation of similar retail service outlets in the area such as internet cafes, call centres, takeaways, amusement arcades and car rentals. This objective is considered reasonable. Having regard to the pattern of development at this location and the pattern of permitted and existing gambling type uses such as betting offices in the general area, it is considered that the proposed change of use to betting office would consolidate the pre-dominance of non-retail uses in the area, would lead to a proliferation of gambling type uses in Finglas village and would by its nature be limited in its capacity to contribute to vitality and vibrancy of this Key District Centre. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The originally approved off-street servicing area for the overall building of which this site forms a part is proposed to be incorporated into the floor area of the proposed betting office development proposed for this site. The proposed development would result in the loss of the approved off-street servicing provision for the commercial uses in the entire building. Having regard to the planning history of the site and in particular planning register reference number 1138/04 where planning permission was refused for the retention of the omission of the off-street serving area for the overall building due to traffic hazard, it is considered that the proposed development, by reason of its subdivision and lack of off-street servicing provision and location on the corner of a complex road junction would endanger public safety by reason of traffic hazard and obstruction of road users.

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

Dated this day of 2016.