

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2285/16

An Bord Pleanála Reference Number: PL 29N.246571

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 take-away restaurant (totalling 67 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 two new door openings 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 proposed take-away which would operate from afternoon to late night hours would result in an excessive concentration of such uses in the Finglas Village area and would result in a concentration of such non-retail uses which would detract from the viability and vitality of the existing district centre area and would be contrary to section 17.26 of the Dublin City Development Plan 2011-2017. Furthermore, it is considered that the subdivision of the site having regard to the planning history constitutes piecemeal and disorderly development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The approved off-street servicing area for the overall building of which this site forms part has not been provided to date. 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 servicing area for the overall building due to traffic hazard, it is considered that the proposed development, including the subdivision and the nature of use proposed, would result in an intensification of use and accordingly by reason of its lack of street serving provision and location at 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.