

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0241

An Bord Pleanála Reference Number: PL 06D.246815

APPEAL by Tom Nolan of 16 Seaview Lawn, Shankill, Dublin and by Seaview Residents Association care of Marcus Wren of 17 Seaview Park, Shankill, Dublin against the decision made on the 2nd day of June, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Gerard Marbach, Cheryl Marbach and Benjamin Marbach care of Deane Turner Associates of Suite 6A, Block 6, Broomhall Business Park, Rathnew, County Wicklow in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Full off-licence for alcohol sales at Riverside Service Station, Shanganagh Road, Shankill, County Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 zoning objectives for the area and the scale of the development and to the removal of the adjoining boundary wall, to the satisfactory operation of the development since 2011 and to the hours of operation permitted, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, 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 condition. Where such condition requires 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 off-licence use permitted under this application shall be a subsidiary use within the main retail unit. The floor area of the off-licence display shall not exceed 6.2 square metres at any one time.

Reason: In the interest of clarity.

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

Dated this day of 2016.