

## **Board Order PL 29S.248876**

Planning and Development Acts 2000 to 2017

**Planning Authority: Dublin City Council** 

Planning Register Reference Number: WEB1414/16

**Appeal** by David MacNicholas and Mary Brassil care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin and by others against the decision made on the 19<sup>th</sup> day of June, 2017 by Dublin City Council to grant subject to conditions a permission to 3FE Coffee Limited care of George Boyle Designs of Fumbally Exchange, 5 Dame Lane, Dublin.

**Proposed Development:** Re-use of existing private driveway as a garden courtyard for private use of shop customers including bench seating, 3.5 metres by five metres fabric awning, bicycle parking, low level lightning, art and associated landscaping at 7 Sussex Mews, Sussex Terrace, Dublin, with existing driveway access off Sussex Road.

## **Decision**

REFUSE permission for the above proposed development in accordance with 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 proposed development would be ancillary to the use of the premises as a coffee shop and, in the absence of any permission for that use, there seems little need for the proposed development as the proposed development would constitute a material change in the use of the premises from the previous established use as a 'shop' 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 2017

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