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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3714/18**

**APPEAL** by Ronan Ó'Caomh and Roisin O'Boyle care of APS Consulting of Lackagh, Turloughmore, County Galway against the decision made on the 5<sup>th</sup> day of October, 2018 by Dublin City Council to refuse permission to the said Ronan Ó'Caomh and Roisin Boyle.

**Proposed Development:** The development will consist of the change of use of our existing convenience shop to include part off-licence use (gross floor area for off-licence use circa 18 square metres), all at Block A1, Shanowen Square, Shanowen Road, Santry, Dublin.

**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 appeal site is located in an area zoned “Z1” in the Dublin City Development Plan 2016-2022, where the objective is “to protect and improve residential amenities”. This objective is considered reasonable. Off-licences and part off-licence are not listed as permissible uses or uses that are open for consideration under this zoning objective. Such uses not listed under these categories are deemed in the Development Plan to be not permissible in principle in Z1 zones. The proposed development would, therefore, contravene materially an objective of the Development Plan and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board is not satisfied that Section 37(2)(b)(iv) of the Planning and Development Plan, 2000 is applicable in this instance having regard to the recent planning history of the site and the objectives set out in the Dublin City Development Plan 2016-2022.

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**Paul Hyde**

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

**Dated this            day of            2019.**