



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 4026/18

Appeal by Triode Newhill Management Services Limited care of Green Design Build of 142 Upper Leeson Street, Dublin against the decision made on the 20th day of November, 2018 by Dublin City Council South to refuse permission for the proposed development.

Proposed Development: An off-licence subsidiary to the main retail use (Area 4.8 square metres) at 36 College Green, Dublin (Protected Structure RPS Reference number 1998).

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 'Z5 – City centre' zoning objective applicable to the site, to the existing pattern of development in the area and to the limited scale of the use for the purposes of an off-licence within the overall footprint of the retail unit, it is considered that, subject to compliance with the following conditions, the proposed development would be in accordance with the provisions of the Dublin City Development Plan 2016-2022, would not lead to an over-concentration of off-licence uses having regard to the location of the site, would not seriously injure the amenities of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety and convenience. 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 in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require 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 permission hereby approved is for an off-licence subsidiary to the main retail use only, and does not authorise any other development, either works or use, within the subject premises.

Reason: In the interest of clarity and the proper planning and sustainable development of the area.

3. (a) No advertising of the sale of alcohol products shall occur on the front elevation of the subject premises and no advertising or display of alcohol products shall occur in the front window or adjacent to the public entrance of the subject premises.

- (b) The subsidiary alcohol sales area shall be no more than 4.8 square metres in extent and shall be limited to the areas shown on the Ground Floor Layout on drawing number 379-PP-OL-01, as lodged with the application.

Reason: In the interest of the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.