



An  
Bord  
Pleanála

Board Order  
ABP-309524-21

---

## Planning and Development Acts 2000 to 2020

**Planning Authority:** Dún Laoghaire-Rathdown County Council

**Planning Register Reference Number:** D20A/0899

**Appeal** by Peter Woods and Alan Woods care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Road, Blackrock, County Dublin against the decision made on the 5<sup>th</sup> day of February, 2021 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Modification to approved plans register reference: D18A/1172, to extend delivery hours only up to 12.30 am each day thus amending the second sentence of condition number to: "No collection service shall operate from these premises after these closing times; delivery services are permitted up to 12.30 am each day" at Unit 28, Belarmine Plaza, The Village Centre, Belarmine, Stepside, 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 condition 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, the planning history of the site, to the mix and uses and pattern of development in the area, it is considered that, subject to compliance with the condition set out below, the proposed development would not be contrary to the zoning provisions for the area, would not seriously injure the residential or commercial amenities or depreciate the value of properties in the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Condition

The delivery hours of the takeaway and restaurant use shall be extended to 12.30 am Monday to Sunday including bank holidays.

**Reason:** To protect the residential amenities of the area.



Paul Hyde

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



Dated this 14<sup>th</sup> day of JUNE 2021.