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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2511/21**

**Appeal** by Donaghmede Estate Residents Association care of Bernard C. Byrne, 128 Newbrook Avenue, Donaghmede, Dublin against the decision made on the 25<sup>th</sup> day of May, 2021 by Dublin City Council to grant subject to conditions a permission to Ard Services Limited care of Coakley O'Neill Town Planning of NSC Campus, Mahon, County Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The development will consist of a change of use from permitted retail use to retail use including the sale of alcohol for consumption off the premises (off-licence use) within the overall permitted retail unit where the floor area for the off-licence use is six square metres and is ancillary to the primary retail use at Circle K Service Station, Donaghmede Shopping Centre, Grange Road, 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 location of the proposed development next to Donaghmede Shopping Centre, the site's District Centre land use zoning, and to the limited scale of the use for the purposes of an off-licence within the overall footprint of the retail unit, the Board considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Dublin City Development Plan 2016-2022, would not seriously injure the residential amenities of the area, and would not lead to an over-concentration of off-licence uses. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area 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.

**Reason:** In the interest of clarity.

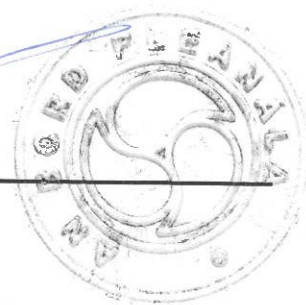
2. (a) The display area for alcohol products shall be limited to the area indicated on the drawings submitted with the planning application.
- (b) Notwithstanding exempted development provisions of the Planning and Development Regulations 2001, as amended, there shall be no advertising of the sale of alcohol products on the façade/frontage of the premises.
- (c) There shall be no display of alcohol products or advertising of the sale of alcohol products on or near both the entrance and/or windows.

**Reason:** In the interests of visual amenity and proper planning and sustainable development.



Paul Hyde

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



Dated this 13<sup>th</sup> day of September 2021