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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2535/21**

**APPEAL** by Binoy Jose care of Green Design Build of 5A Collins Park, Donnycarney, Dublin against the decision made on the 31<sup>st</sup> day of May, 2021 by Dublin City Council to refuse permission to the said Binoy Jose.

**Proposed Development:** Planning permission for provision of off-licence (29 square metres), subsidiary to the main retail use at Xtramart, 1 St. David's Terrace, 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.

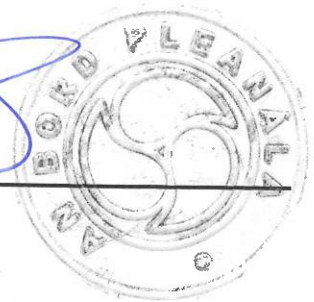
## Reasons and Considerations

Having regard to the location of the appeal site in an area zoned Z1 (Sustainable Residential Neighbourhoods) in the Dublin City Development Plan 2016-2022, for which the objective is "to protect, provide and improve residential amenities", off-licences and part off-licences are not listed as uses which are either 'permissible' or 'open for consideration' in areas zoned Z1 and are thus deemed in the Development Plan not to be permissible in principle. It is considered that the proposed development would, therefore, materially contravene an objective indicated in the Development Plan in relation to the zoning of land and would be contrary to the proper planning and sustainable development of the area.



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.