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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3310/21**

**APPEAL** by Vladimir Percuin care of Armstrong Planning Limited of 12 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 4<sup>th</sup> day of October, 2021 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** The development will consist of alterations to opening hours of the premises permitted under condition number of previously granted permission (Reference: 4297/16) from between 11:00 hours and 23:00 hours daily to opening hours between 12:00pm to 12:00am Monday to Thursday inclusive and between 12:00pm to 1:00am Friday to Sunday inclusive at Unit 2, The Goulding, Santry Cross, Ballymun, 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 proposed extension of permitted opening hours would, by reason of late night activity, noise, and general disturbance, in a predominantly residential area, would result in a late night environment which would seriously injure the residential amenities of the area and would be contrary to Section 16.25 of the development plan 2016-2022 which seeks to, inter alia, reduce the effect of noise, general disturbance, hours of operation, litter and fumes on the amenities of nearby residents. The proposal would, therefore, be contrary to the proper planning and sustainable development of the area.

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

  
Dated this 18<sup>th</sup> day of February 2022.