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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D23A/0202**

**APPEAL** by Tara Doyne care of Niall Fitzpatrick of 1 Eagle Hill, Blackrock, County Dublin against the decision made on the 16<sup>th</sup> day of May, 2023 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Retention of change of use of approximately 48 square metres of ground floor space from commercial to residential use at 25 Bellevue Avenue, Glenageary, County Dublin.

**Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

The proposed development for retention is located within an area zoned NC within the Dún Laoghaire-Rathdown County Development Plan 2022-2028 which seeks “to protect, provide for and/or improve mixed use neighbourhood centre facilities”. Development in such areas is subject to policy objective RET11 of the Dún Laoghaire-Rathdown County Development Plan which seeks to control the provision of non-retail uses at ground floor level in the principal shopping streets of Major Town Centres and District Centres and also within the shopping parades of mixed-use Neighbourhood Centres. This policy is considered reasonable. The introduction of a residential use within the ground floor of this parade of units within an area subject to the NC zoning objective would be contrary to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, specifically policy objective RET11 and would, therefore, be contrary to the proper planning and sustainable development of the area.

  
**Liam Bergin**

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

**Dated this 12<sup>th</sup> day of October 2023.**