



An
Bord
Pleanála

Board Order ABP-319684-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1196/24

Appeal by Myers Supermarket Santry Limited care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin against the decision made on the 16th day of April, 2024 by Dublin City Council to grant subject to conditions a permission to AHA Unity Brothers Limited care of Tom Duffy Architects of 5A Collins Park, Donnycarney, Dublin.

Proposed Development: Retail use (previously restaurant), provision of off-licence subsidiary to retail use, signage and associated works, all at Unit 3, Swiss Cottage, Swords Road, Santry, Dublin.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

The proposed development for which planning permission is sought differs materially from the existing characteristics of the appeal site and the statutory notice, in that work and use, as described in the public notices, namely, retail use, provision of off-licence subsidiary to retail use and the signage and associated works, have already been carried out and the use of the property for retail purposes has commenced. In this regard, it is considered inappropriate to grant permission in a circumstance where the statutory description of the proposed development is not consistent with the existing status of the subject site. The proposed development would, therefore, be contrary to proper planning and sustainable development.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted that the fundamental issue is that the development, the subject of this application, has already been completed.




Mary Henchy

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

Dated this 13th day of February 2025.