



An
Bord
Pleanála

Inspector's Report ABP-305347-19.

Development

Permission is sought for an outdoor seating area of 20 seat positions and revised entrance gateway to existing undercroft access.

Location

No.s 32 to 36 Main Street, Malahide.

Planning Authority

Fingal County Council.

Planning Authority Reg. Ref.

F19A/0257.

Applicant

Architects Workshop Ltd.

Type of Application

Planning Permission.

Planning Authority Decision

Refuse.

Type of Appeal

First Party.

Appellant

Architects Workshop Ltd.

Observers

1. Thomas Hynes.
2. Lisa Fitzsimons & Peter Best.
3. Anthony Hynes.
4. Alphonsus & Frances O'Dowd.
5. Michael Howard.

Date of Site Inspection

11th & 15th day of December, 2019.

Inspector

P.M. Young.

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1.0 Site Location and Description

- 1.1. No.s 32 to 36 Main Street, the appeal site has a stated site area of 0.0046ha and it forms part of a larger site that consists of a much-modified period 2-storey commercial building whose principal elevation faces directly onto the southern side of Main Street (R160) Malahide's principal thorough fare and shopping street.
- 1.2. At ground floor level there are two cafes (Note: Café Malahide and Seomra Tae) both including a separated area of the public footpath that are in used by them for customer outdoor seating. In between the two cafes at ground floor level there is also a stationary shop (Note: Paperweight Office Supplies).
- 1.3. At the time of inspection, it appeared that the upper floor level was in use mainly as a restaurant and takeaway (Mint Cottage). Access to the rear of the building is via an undercroft area which is located alongside the western elevation. This area is in use for access, waste storage and the storage of other sundry items.
- 1.4. In addition, the main area to the rear is currently being excavated.
- 1.5. To the east and north east of No.s 32 to 36 Main Street the streetscape scene is predominated by a mixture of commercial uses. These range from retail, commercial, institutional and this area contains a large number of cafes, restaurants and similar offerings whereas to the west, south west and north west of the site the area is predominantly characterised by mature residential land uses.
- 1.6. To the south of the site is a two-storey terrace group of four (No.s 1 to 4 The Priory) with No. 1 The Priory lying in close proximity to the rear boundary of No.s 32 to 36 Main Street and the original southern elevation of the subject property which contains the undercroft area (Note: c14m). This property's floor level is approximately 1.5m above the historical rear yard ground level and it includes a single storey rear extension, a rear terrace area as well as a side gable wall with north facing windows.
- 1.7. The adjoining two storey property to the east of No.s 32 and 36 Main Street contains a solicitor's office (Karen O'Neill Solicitors), an office licence (O'Brien's) and a restaurant over (Koa).
- 1.8. The surrounding streetscape scene is an attractive one with buildings setback from a tree lined street and its building stock includes a number of attractive period

buildings. Photographs taken during my inspection of the site and its setting are attached.

2.0 Proposed Development

- 2.1. Permission is sought for an outdoor seating area of 20 seat positions and revised entrance gateway to existing undercroft access.
- 2.2. This application is accompanied by a letter of consent from the property owner.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decided to refuse planning permission for the following stated reasons:

“1. The proposed development, having regard to its location within the Malahide Historic Core Architectural Conservation Area and the design proposed to replace the existing double doors does not positively contribute to the character of the area or improve the elevational treatment of the building and would have a significant negative visual impact upon the streetscape. The proposed development would therefore materially contravene Table 12.11 and Objective DMS157 and Objective DMS158 of the Fingal Development Plan 2017-2023 and would be contrary to the proper planning and sustainable development of the area.

2. Given the limited information submitted as part of this application and given the remote nature of the proposed seating from the restaurant kitchen and ancillary takeaway granted under ABP-302577-18, it is considered that the applicant has failed to demonstrate a justification for this proposal at this location. In addition given the location of the proposed outdoor seating area the development would impact negatively on the residential amenities of surrounding properties through noise etc. The development would therefore be contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report is the basis of the Planning Authority's decision.

3.2.2. Other Technical Reports

- **Conservation:** The Conservation Officer's report can be summarised as follows:
 - The area to which this application relates provides access to the rear of No.s 32 to 36 Main Street and to a single storey restaurant granted permission under P.A. Reg. Ref. No. F18A/0383.
 - The space could not be considered an outdoor space as it is essentially enclosed.
 - The proposed changes would not contribute positively to its streetscape setting, in particular the design of the gate which is considered inappropriate.
 - Should it be the intention of the applicant to create an enclosed space then a proper commercial frontage should be designed; however, if the space is primarily serving as an access route to the rear of the properties then it is considered that the existing situation is preferable to that proposed.
- **Transportation:** No objection raised subject to the imposition of a special contribution under Section 48(2)(c) for 3 car parking spaces.

3.3. Prescribed Bodies

3.3.1. None.

3.4. Third Party Observations

3.4.1. Several 3rd Party submissions were received during the Planning Authority's determination of this application and I consider the main concerns raised are the same as those raised by the observers to this appeal (See: Section 6.4.1 below).

4.0 Planning History

4.1. An overview of the planning history of No.s 32 to 36 Main Street:

- **ABP Ref. No. 302577-18 (P.A. Reg. Ref. No. F18A/0383):** On appeal to the Board permission was granted for a development consisting of a stand-alone single storey restaurant of 103m² with ancillary takeaway with two number internal bin stores of 7m² each with outdoor seating for up to 20 patrons under existing covered side entrance with 8 number bicycle spaces with modifications to existing external fire escape from first floor of adjoining property with associated landscaping, site works and lighting at rear.

The Boards Order was signed on the 29th day of January, 2019.

The conditions included but were not limited to:

Condition No. 2 which states *inter alia* that: “*the proposed outdoor seating area is omitted from this permission. This area shall not be used for any purpose in connection with the proposed restaurant and ancillary takeaway without prior benefit of a separate planning permission*”. The stated reason for this condition is “*to enable a full assessment of the likely impacts arising from the use of this area on the amenities of property in the vicinity.*”

Condition No. 4 deals with the matter of noise abatement to safeguard the residential amenity of residential properties in the vicinity.

Condition No. 5 deals with the matter of odour abatement.

Condition No. 8 restricts the hours of operation of the restaurant/takeaway use.

- **ABP Ref. No. 300165-17 (P.A. Reg. Ref. No. F17A/0514):** On appeal to the Board permission was granted for a development consisting of alterations and revisions of previously approved permission (ABP Ref. No. PL06F.247015/P.A. Reg. Ref. No. 15A/0608) for modifications to the ground floor and front elevation to allow for the remodelling of permitted rear lift lobby with partial extension on ground floor retail unit three (from 60m² to 66m²) to side passage with new additional access stairs to first floor restaurant with rear store extension of retail unit one (40 m² to 53m²) repositioning of permitted bin storage and four number double vertical bicycle spaces (8 no. in total) with revised external escape stairs to rear and modifications to rear undercroft on ground floor with removal of first floor external terrace and internal modifications to permitted first floor extension

to provide for two number first floor restaurants (one new and one existing) increasing the permitted floor area by 15 m² to 527 square metres in total.

The Board Order was signed on the 16th day of May, 2018.

The conditions attached included but were not limited to:

Condition No. 3(a): The developer is required to provide 8 no. cycle parking spaces in the undercroft area.

- **ABP Ref. No. PL06F.247015 (P.A. Reg. Ref. No. F15A/0608):** On appeal to the Board planning permission was granted for a development consisting of the change of use of first-floor office to restaurant and two-storey rear extension. The drawings include the undercroft area paved over containing 5 tables each with four seats, timber panels fixed to its ceiling and internal walls as well as a new double opening security gate onto Main Street.

The Board Order was signed on the 5th day of December, 2019.

The conditions attached included but were not limited to:

Condition 2(b): This requires the developer to agree the details of the proposed security gate onto Main Street.

- **P.A. Reg. Ref. No. F12A/0405:**

Retention permission was refused for signage at first floor to unit 5.

- **P.A. Reg. Ref. No. F10A/0165:**

Retention permission granted for change of use of part of existing ground-floor shop to coffee shop.

- **ABP Ref. No. PL06F.227483 (P.A. Reg. Ref. No. F07A/1019):** On appeal to the Board permission was refused for modifications to P.A. Reg. Ref. No. F05A/1729 which essentially consisted of a two-storey rear extension (c.256m²). Reason for refusal related to the inadequate provision for storage and service areas.

- **P.A. Reg. Ref. No. F05A/1729:** Planning permission granted for a two-storey rear extension and extension to side of ground-floor retail unit.

5.0 Policy & Context

5.1. National Planning Policy Provisions

- **Project Ireland 2040 – National Planning Framework, 2018.** This framework includes National Policy Objective 17 which reads as follows: “*enhance, integrate and protect the special physical, social, economic and cultural value of built heritage assets through appropriate and sensitive use now and for future generations*”. Section 1.3 sets out a number of shared goals including but not limited to enhanced amenities and heritage.
- **Architectural Heritage Protection Guidelines for Planning Authorities, 2004, as amended.** These include guidelines under S52(1) for the protection of structures, or parts of structures and the preservation of the character of architectural conservation areas.

5.2. Local Planning Policy Provisions

5.2.1. Development Plan

The Fingal Development Plan, 2017 to 2023, is applicable and under which the site forms part of a larger parcel of land zoned with the stated objective to “*protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities*” (‘TC’ – Town and District Centre).

5.3. Natural Heritage Designations

5.3.1. There are a number of Natura 2000 sites within a 15km radius of the site. The closest to the site are:

- This appeal site is located c260m to the south west of Special Protection Areas - Malahide Estuary SPA (Site Code: 004025).
- This appeal site is located c266m to the south east of Special Area of Conservation - Malahide Estuary SAC (Site Code: 000205).
- This appeal site is located c3.7klm to the north of Special Area of Conservation – Baldoyle SAC (Site Code: 000199).

- This appeal site is located c3.8km to the north of Special Protection Areas – Baldoye SPA (Site Code: 004016).

5.4. EIA Screening

Having regard to the modest nature, scale and extent of the proposed development, the appeal sites location on serviced lands as well as the distance of the site from nearby sensitive receptors, I consider that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal can be summarised as follows:

- Reference is made to previous grants of permission (Note: ABP-PL06F.247015/P.A. Reg. Ref. No. F15A/0608).
- The outdoor seating area would complement the indoor restaurant and has been requested by a number of the operators.
- The glazed screen would provide further shelter for the seating area and would also provide a level of acoustic screening.
- The choice of internal finishes would be selected by the selected restaurant tenant.
- The seated areas are envisaged as extension to the enclosed restaurant and for potential diners who wish to dine outdoors.
- The provision of an outdoor seating area in Malahide is critical and the proposal is based on advice of a number of potential operators.
- There are similar other spaces in Malahide and a number of examples are cited.
- This proposal would have no adverse impact on the ACA or Protected Structures in its vicinity.

- The existing entrance contains unattractive wooden gates.
- There is no planning requirement for the applicant to provide justification for the proposed development and it is considered that the Planning Authority is not an expert in restaurants.
- The suggestion that the proposed seating area is too far removed from the kitchen is an inappropriate conclusion to make by the Planning Authority.
- The seating area will be fully enclosed and would not have any adverse impact on residential amenities.
- A proposed shopfront is suggested in Figure 15 of this submission.
- The Board is requested to overturn the decision of the Planning Authority for a site that is described as being vacant for c15years.

6.2. Planning Authority Response

6.2.1. The Planning Authority's response can be summarised as follows:

- Previously planning permission was sought by the appellants for the provision of a new outdoor seating area and revised entrance gateway to an existing undercroft access under P.A. Reg. Ref. No. F18A/0383 for the single storey restaurant to the rear. This application was granted subject to the omission of the seating area by the Board under ABP-302577-19 save without a further granted permission. This component has now been assessed in terms of its impacts on the amenities of the area and relevant planning policy provisions.
- The proposed outdoor seating area would be detrimental to the ACA and would be visually incongruous in its streetscape setting.
- The design of the metal gate does not positively contribute to the character of the area nor does it improve the elevational treatment of the building.
- The undercroft seating area would project sound and there are a number of sensitive receptors in close proximity.
- The use of this area would adversely impact on the residential amenities of neighbouring properties, particularly at night time.

- The Board is requested to uphold its decision.
- Should the Board grant permission it is requested that it impose a Section 48 financial contribution.

6.3. Observations

6.3.1. The Board received 5 no. observations which can be summarised collectively as follows:

Lack of Information

- There is a lack of adequate information provided with this application.

Residential Impact

- Concern is raised that if the proposed development were to be permitted it would result in a number of nuisances that would deteriorate the established residential amenity of properties in its vicinity, with particular concern raised in relation to music, noise and noxious odours.
- The proposed hours in which the seating area is not considered acceptable for residents living right beside the boundaries of this outdoor seating space.
- The property is bound on two sides by residential properties and it is located at the edge of the Main Street.
- No security measures are proposed to safeguard properties in the vicinity from anti-social behaviour.

Impact on the Built Heritage

- The proposed replacement would be detrimental to the character of the ACA.
- The overall design concept and the materials proposed are not considered to be sympathetic to the ACA streetscape setting.

Planning History

- Under the previous Board decision this development was omitted by way of condition in the interests of protecting residential amenities (Note: ABP-302577-19). This grant of permission also included a condition dealing with noise (Note: Condition No. 4).

- Under another previous grant of permission P.A. Reg. Ref. No. F17A/0514 residential amenities were given protection under conditions including Condition No. 5.

Accuracy of the Information Submitted

- The submitted documents allege that the site is vacant for 15years. This is not true with the site largely developed.

Treatment of Waste

- Insufficient information has been provided on how the operators of the site would deal with waste should permission be granted.

Lack of Justification

- The appellant has not provided sufficient justification for this development.

Other

- The Board is requested to uphold the decision of the Planning Authority.

6.4. Prescribed Bodies

- 6.4.1. This appeal was referred by the Board to Failte Ireland, Development Applications Unit of the Department of Culture, Heritage and the Gaeltacht, An Taisce – The National Trust of Ireland, An Chomhairle Ealaíon and The Heritage Council; however, no responses were received.

7.0 Assessment

7.1. Overview

- 7.1.1. I consider that the main issues arising in this appeal case are:

- Principle of the Proposed Development;
- Planning History;
- Impact on Residential Amenity; &
- Impact on Built Heritage.

- 7.1.2. I also consider that the matter of '*Appropriate Assessment*' requires assessment.

7.2. Principle of the Proposed Development

- 7.2.1. This appeal site has a modest stated site area of 0.0046ha and it essentially consists of the undercroft area associated with No.s 32 to 36 Main Street, a two storey mixed use period building, that is located in the village centre of Malahide and forms part of a larger parcel of land zoned 'TC' under the Fingal Development Plan, 2017 to 2023.
- 7.2.2. The Development Plan objective for such land is to "*protect and enhance the special physical and social character of town and district centres and provide and/ or improve urban facilities*".
- 7.2.3. The Development Plan also includes the following stated vision for 'TC' zoned land to "*maintain and build on the accessibility, vitality and viability of the existing Urban Centres in the County*" alongside but not limited to "*develop and consolidate these Centres with an appropriate mix of commercial, recreational, cultural, leisure and residential uses, and to enhance and develop the urban fabric of these Centres in accordance with the principles of urban design, conservation and sustainable development*".
- 7.2.4. According to Chapter 11 land uses which are neither listed as 'Permitted in Principle' or 'Not Permitted' will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision alongside their compliance and consistency with the policies and objectives of the Development Plan.
- 7.2.5. In my view it is therefore appropriate and reasonable that the development for which permission is sought under this application, i.e. the provision of what is described as an outdoor seating area of 20 seat positions and a revised entrance gateway, is considered on its merits though I acknowledge that such spaces normally are associated with restaurant, cafes and other similar food/drink based businesses. Such land uses are considered to be generally acceptable on 'TC' zoned land zoned, subject to safeguards.

7.3. Planning History

- 7.3.1. As part of the consideration of this application before the Board I note that the red line site area, essentially consists of an undercroft area which provides access to the rear yard area behind No.s 32 and 36 Main Street, forms part of a larger site also in the applicant's legal interest which is outlined in blue in the accompanying planning documentation. The area outlined in blue consists of the building envelope of No.s

32 to 36 Main Street and its associated rear yard area that extends behind the full extent of their rear elevation including the undercroft in a southerly direction to where it terminates at a shared boundary with No. 1 'The Priory'. Collectively these two areas have a substantive planning history with a number of very recent planning applications associated with these lands (See: Section 4.1 of this report above).

- 7.3.2. The most recent and relevant planning application in my view is ABP-302577-18(P.A. Reg. Ref. No. F18A/0383). This application was determined by the Board and under which permission was granted for a development that consisted of a new standalone restaurant with a stated 103m² gross floor area to the rear of the existing buildings No.s 32 to 36 Main Street. This grant of permission was subject to a number of conditions including but not limited to the omission of an outdoor seating in the undercroft area under Condition No. 2.
- 7.3.3. In relation to the omission of the outdoor seating provision which I consider from perusing the planning history documentation in the context of this application appeared to be functionally part of the proposed standalone restaurant and ancillary takeaway for which planning permission was sought the Boards Inspector while considering that the outdoor seating area was restricted raised a number of concerns.
- 7.3.4. The Inspector considered it was not clear from the documentation submitted with this application the precise function or method of servicing this area and they considered that this seating area was remote from the restaurant kitchen and the ancillary takeaway proposed.
- 7.3.5. Of further concern, the Inspector considered that it would not be expected that an ancillary takeaway of the scale and nature proposed (i.e. five tables each accommodating four seats) would normally have this level of seating. He therefore considered that this component of the proposed development required clarification to enable a full assessment of the impact of the proposed seating area on the amenities of the area to be carried out.
- 7.3.6. In keeping with the Inspectors recommendations, the Board omitted this component of the proposed development and they provided for future consideration only by way of a separate planning application.

- 7.3.7. At the time of my site inspection I observed that works on the development granted permission by the Board under ABP-302577-18 have commenced. I also observed that the undercroft area was being used primarily for access, waste storage through to general storage for the land uses currently operating from No.s 32 to 36 Main Street.
- 7.3.8. In relation to this current application before the Board I raise concerns that this proposal seeks to segregate the proposed outdoor seating area from any functional link to existing permitted land uses at No.s 32 to 36 Main Street as well as from the future standalone restaurant and takeaway use recently permitted.
- 7.3.9. In my view it is still unclear whether or not the outdoor seating area would be functionally and commercially linked to the permitted standalone restaurant and takeaway use permitted under ABP-302577-18; would it be functionally and commercially linked to one or other of the existing restaurant through to café uses operating within the existing building envelope of No.s 32 to 36 Main Street; would it be used as a shared facility for more than one of the existing restaurants and cafes operating from the building envelope of No.s 32 to 36 Main Street; through to would it operate as a separate functional commercial entity with a limited food and beverage offer.
- 7.3.10. This lack of clarity makes an assessment of the potential impacts of the proposed development on properties in its vicinity difficult and it also adds to the difficulty of determining whether or not there is sufficient capacity to accommodate this additional level of functional and commercial offer on this site having regard to the various range of functional and commercial possibilities.
- 7.3.11. Of further concern, it is unclear what impact this provision would have on the limited space that remains to the rear and whether the provision of this infrastructure would have any adverse impacts particularly in terms of access and movement from Main Street to the rear of No.s 32 to 36 Main Street.
- 7.3.12. I therefore raise a concern that this proposal, if permitted, alongside existing permitted and currently being implemented recent grant of planning permission for the redevelopment of the rear of the site could result in overdevelopment of this appeal sites setting, i.e. the curtilage of No.s 32 to 36 Main Street, in a manner that

would be uncoordinated, piecemeal and lacking demonstrable integration through to synergy between the different quantum of uses at this location.

7.4. Residential Amenity

- 7.4.1. I consider that the concerns raised by the observers to this appeal reasonable and as discussed in the previous section of this report I am not satisfied that the information provided with this application is sufficient to fully determine and assess the potential impact of the proposed development, if it were permitted in the form proposed, on the amenities of property in its vicinity, in particular adjoining residential properties that in my view would be particularly sensitive to change despite their location on land zoned 'TC'.
- 7.4.2. Having regard to the previously permitted developments at No.s 32 to 36 Main Street I acknowledge that they include various that essentially seek to safeguard the amenities of properties in the immediate vicinity. These seek to control noise, hours of operation through to noxious odours.
- 7.4.3. Notwithstanding, this application relates to the undercroft area only and it essentially seeks for this area to be considered as a separate planning entity in its own right with any grant of permission for the development sought superseding previous grants of permission that included it as part of the curtilage of No.s 32 to 36 Main Street. Therefore, the lack of clarity in relation to how this space would functionally relate to or not to other uses permitted in the buildings in the adjoining blue line area is a cause of concern. It also makes it more difficult to abate nuisances even though the undercroft would be essentially an enclosed space in terms of noise, odours, hours of operation and the like.
- 7.4.4. Based on the information submitted with this application I am not convinced that the residential amenities of residential properties adjoining and neighbouring the site would not be adversely impacted by the proposed development if it were permitted.

7.5. Built Heritage

- 7.5.1. The site, its streetscape scene and its setting is in my view particularly sensitive to change due to the fact that the site benefits from frontage onto Main Street which forms part of an Architectural Conservation Area and it lies within the visual curtilage of a number of Protected Structures, including Kileen Terrace to the south west,

Saint Sylvester's Roman Catholic Church to the north west, Malahide Railway Station also to the north west and 'The Mall' to the north east.

- 7.5.2. Table 12.11 of the Development Plan sets out the direction for development in such areas and on the matter of alterations, it advocates that proposals need to follow a sensitive design approach that respects the established character of the ACA and where a contemporary design approach is taken that detailing, materials and overall design must be carefully handled as well as be of high quality to ensure that the proposal does not compromise the integrity and character of the area.
- 7.5.3. In relation to changes to window and door openings, it indicates that changes to these can change the prevailing proportions of the building through to streetscape and original dimensions and that these should normally be retained.
- 7.5.4. In relation to signage, it indicates that this should be discrete, minimal and sensitively designed so as not to negatively impact on the special character of the area.
- 7.5.5. In relation to the proposed alterations to the undercroft's Main Street frontage I consider that these are poorly considered, they do not seek to harmonise or respect in a positive manner with the existing ACA streetscape intrinsic shopfront character due to its visually bulky, poorly considered palette of materials through to its failure to reiterate the undercroft's visual historical proportions and its failure to be legible for its primary function which is for accommodating access to the rear of No.s 32 to 36 Main Street.
- 7.5.6. I am cognisant that Objective DMS157 of the Development Plan states that the Planning Authority shall "*ensure that any new development or alteration of a building within or adjoining an ACA positively enhances the character of the area and is appropriate in terms of the proposed design*"; and, that Objective DMS158 states that "*all planning applications for works in an Architectural Conservation Area shall have regard to the information outlined in Table 12.11*". I therefore considered these two objectives relevant to the proposed development sought under this application.
- 7.5.7. In this instance I consider that the proposed design concept essentially turns the principal façade into a poorly considered commercial shopfront that would not enhance the ACA or the visual curtilage of Kileen Terrace, a Protected Structure, which lies to the south west of it, when observed and appreciated from the public domain of Main Street, for the reasons set out above.

7.5.8. Should the Board be minded to grant permission for the proposed development it could seek a more sympathetic design approach for the Main Street address but in the absence of any significant revisions I consider that the proposed development would conflict with Development Plan Objective DMS157. It would also be inconsistent with the guidance and direction set out in Table 12.11 of the Development Plan which in turn would also result in the proposed development, if permitted, being in conflict with Objective DMS158.

7.6. **Appropriate Assessment**

7.6.1. Having regard to the nature and scale of the proposed development within an existing built up area, it is not considered that the proposed development would be likely to have a significant effect, directly or indirectly, individually or in combination with other plans or projects on any European site. I consider no Appropriate Assessment issues arise.

8.0 **Recommendation**

8.1. I recommend that permission be **refused** for the reasons and considerations below.

9.0 **Reasons and Considerations**

1. Having regard to the planning history of the appeal site, the existing character and the prevailing pattern of development in the area, the visually-prominent site location on Main Street which forms part of a designated Architectural Conservation Area with the site also forming part of the visual curtilage of a number of Protected Structures, and the provisions of the Fingal Development Plan 2017-2023, it is considered that the proposed development has the potential to result in the overdevelopment of the site; to result in a piecemeal form of development; it would be a type of development that would not respect or complement the character of its Architectural Conservation Area and built heritage setting sensitive streetscape in a manner consistent with Table 12.11, Objectives DMS157 and DMS158 of the Development; and, it would seriously injure the visual amenities of the area. Furthermore, based on the information submitted with this application the Board fails to demonstrate that the proposed development would not seriously injure the residential amenity of existing

residents by reason of undue deterioration of their established levels of amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Patricia-Marie Young

Planning Inspector - 15th day of January, 2020.