



## Board Direction

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**Ref: PL06F.245989**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 6<sup>th</sup> May 2016 2016.

The Board decided by a majority of 2:1 to grant permission in accordance with the following reasons, considerations and conditions.

### **Reasons and Considerations**

Having regard to the fact that the land use zoning objective for the subject lands is TC, i.e. to *“Protect and enhance the special physical and social character of town and district centres and to provide and/or improve urban facilities”* and that the development of a supermarket of less than 2500 sqm is acceptable in principle within the zoning objective for the area, to the identification of the subject site as an “Opportunity Site” in the Portmarnock Urban Centre Strategy, to the nature and scale of the PD it is considered that, S.T. compliance with the conditions set out below, the PD would be acceptable in terms of the residential and visual amenities of the area and would not be likely to give rise to a traffic hazard. The PD would therefore be in accordance with the PP and SD of the area.

The Board carried out a screening exercise in relation to potential impacts on nearby European sites, specifically the Baldoyle Bay SAC and the Baldoyle Bay SPA, and having regard to the nature and scale of the proposed development, the nature of the receiving environment, the screening report submitted, the submissions on file and the report of the Inspector, the Board concluded that, on the basis of the information available, the proposed development would not be likely to have a significant effect on any European site, either individually or in combinations with other plans and projects.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the status of the site in the Fingal

Development Plan and the Portmarnock Urban Centre Strategy and determined that the PD as approved by the PA would not result in a decline in the commercial vitality of the area and that the design of the proposed building, including its height and scale and incorporating a civic space was acceptable in the context of a central location within the village.

### Conditions

1. Plans/partic incl. FI and CFI.
2. As per PA c.2
3. Deliveries shall be carried out using commercial vehicles of maximum length 10m.  
Reason: In the interest of traffic safety and residential amenity.
4. As per PA c.3
5. As per PA c.4
6. As per PA c.5
7. As per PA c.6
8. As per PA c.7 amended as follows:  
“(a) The proposed totem pole at the entrance adjoining Strand Road shall be omitted from the development and shall be replaced by the proposed “Low Level Signage” submitted to ABP with the appeal.”
9. As per PA c.8
10. As per PA c.9
11. As per PA c.10
12. As per PA c.11
13. As per PA c.12
14. As per PA c.14 (litter)
15. CMP1 excl hours
16. Const Hours (0800-1900 M-F; 0800-1400 Sat; Nil Sun/BH)
17. As per PA c.17
18. UrbanWaterDrain
19. As per PA c.20

Note: The Board agreed with the Inspector that it would be inappropriate to consider any change in the trading or delivery hours without the involvement of third parties.

Board Member: \_\_\_\_\_ Date: 6<sup>th</sup> May 2016  
G.J. Dennison