

Board Order PL 06F.248180

Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: F16A/0578

Appeal by Tanrat Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 16th day of February, 2017 by Fingal County Council to refuse permission.

Proposed Development: Retention permission for the use of part of the ground floor of Unit A (also known as Unit 1), Airside Retail Park as a Starbucks coffee shop area with seating, together with a wall-mounted Starbucks sign measuring 3.4 square metres. The area subject to the coffee shop with seating use is circa 229 square metres, all at Unit A, Airside Retail Park, Crowcastle, Swords, County 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 subject site is zoned for retail warehousing where the land use zoning seeks to provide for retail warehousing development and where restaurant/café use is only permitted where such a use is contained within and ancillary to, a retail warehouse unit. The coffee shop by reason of its physical separation, lack of sufficient connectivity, separate opening hours, independent external signage and direct access onto the public domain cannot be considered to comply with the foregoing requirements and as such would materially contravene the land use objective of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017

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