

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Fingal County

Planning Register Reference Number: F17A/0504

An Bord Pleanála Reference Number: ABP-300166-17

APPEAL by Donnybrook Fair 6 Limited care of PAC Studio Limited of Tower 1, Fumbally Court, Fumbally Lane, Dublin against the decision made on the 12th day of October, 2017 by Fingal County Council to refuse permission to the said Donnybrook Fair 6 Limited.

PROPOSED DEVELOPMENT: Retention of the enclosure and canopy constructed at the outdoor seating area consisting of removable glazed side and front panels and frames, fabric roof structure and frame, enclosing the outdoor seating area facing The Green. The enclosure and canopy provide protection for the outdoor seating area off the café at Donnybrook Fair. The proposed site is within an architectural conservation area and is located adjacent to a Natura 2000 site, all on the lands of Donnybrook Fair at junction with New Street and The Green, Malahide, County Dublin.

DECISION

REFUSE permission for the above proposed development based on 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

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 within an Architectural Conservation Area and the objectives and provisions of the Fingal Development Plan 2017-2023, it is considered that the development for which retention is sought, by reason of its siting forward of the established building line, would form an obtrusive, dominant and discordant feature in the streetscape and would not respect or complement the character of the shopfront on site. Furthermore, the development for which retention is sought fails to enhance the character of the Architectural Conservation Area and Malahide village centre, would seriously injure the visual amenities of the area and would set an undesirable precedent for similar development. The development for which retention is sought 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 2018.