



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0257

APPEAL by Architects Workshop Limited care of O'Connor Whelan of 222-224 Harold's Cross Road, Dublin against the decision made on the 9th day of August, 2019 by Fingal County Council to refuse permission.

Proposed Development: Provision of a new outdoor seating area of 20 seat positions and revised entrance gateway to existing undercroft access following grant of permission for single storey restaurant (planning register reference number F18A/0383) to rear of 32-36 Main Street, Malahide, 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

Having regard to the planning history of the site, the existing character and the prevailing pattern of adjoining commercial and residential development in the area, and the lack of clarity regarding the functional and commercial links between the permitted restaurant/ancillary take-away(ABP-302577-18) to the rear of 32-36 Main Street and the proposed development comprising a seating area located at a remove from the restaurant in an under-croft area leading to the street, the Board cannot be satisfied on the basis of the information on the file that the operation and servicing of the proposed development would not seriously injure the visual and residential amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2020.