

Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: FW21A/0133

Appeal by Eugene Davy of Unit 2, Castleknock Village Shopping Centre, Castleknock, Dublin against the decision made on the 2nd day of September, 2021 by Fingal County Council to grant subject to conditions a permission to Maria Marsella of Nextgen Design and Build of 3 Francis Lane, Newbridge, County Kildare in accordance with plans and particulars lodged with the said Council:

Proposed Development: Change of use of existing pharmacy into an Italian chip shop/take-away, signage and all associated works, at Unit 3, Castleknock Village Shopping Centre, Castleknock, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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:

- (a) the policy and objectives of the planning authority as set out in the Fingal County Development Plan 2017-2023, including the zoning of the site,
- (b) the location of the site within an established village centre,
- (c) the distance of residential properties within the vicinity of the site to the proposed development, and
- (d) the distance of schools within the wider Castleknock area to the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The take-away facility shall operate between 1000 hours and 1200 midnight Monday to Saturday, and between 1000 hours and 2200 hours on Sundays and Bank Holidays

Reason: In the interest of orderly development and to protect the amenities of adjoining properties.

3. (a) Prior to occupation of the unit, the developer shall submit to and agree in writing with the planning authority, full details of all proposed external signage.

(b) No illumination shall be provided to the signage.

- (c) Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising, unless authorised by a further grant of planning permission.

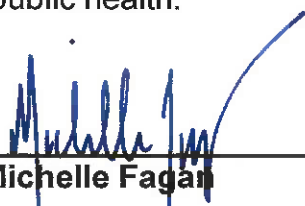
Reason: In the interest of visual amenity.

4. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to the operation of the development. This scheme shall include the provision of litter bins and refuse storage facilities.

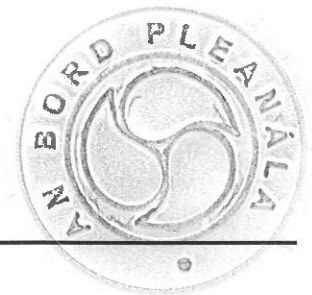
Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.


Michelle Fagan

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



Dated this 22nd day of November 2021.