

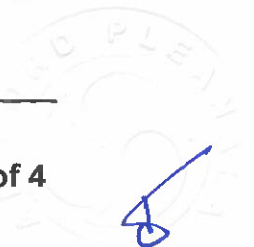
Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0662

Appeal by Anthony Handley care of Brennan Furlong Architects and Urban Planners of Vernon House, 2 Vernon Avenue, Clontarf, Dublin against the decision made on the 19th day of August, 2021 by Fingal County Council to grant subject to conditions a permission to Bayside Centre Management Limited and Urban Pulse (Bayside) Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention permission is sought at Bayside Square Sutton, Dublin 13 which is now under construction (previously permitted under planning register reference numbers - F15A/0436, F16A/0433, F16A/0565, F18A/0425, F19A/0255, F19A/0628, F20A/0116, and F20A/0244). Retention permission is sought for external elevational changes to the previously permitted elevations (planning register reference number F15A/0436) pertaining to the original residential units and retail units within the centre, with retention permission also sought for retaining the existing original elevations of residential unit 6 and retail unit 6 (that is, elevations which were intended for upgrade works under planning register reference number F15A/0436); all at Bayside Shopping Centre, Bayside Square, Sutton, 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 the nature and scale of the proposed development for the retention of external elevation changes to three number commercial units (Units 3, 4 and 5) and the residential properties on the first and second floors, it is considered that the nature and scale of the proposed development would be acceptable within the context of the site. The ownership and exclusion of Unit 6 from the overall redevelopment of the Bayside Shopping Centre is not considered to have a significant negative impact on the existing character of the area or the amenities of the shopping centre redevelopment, it is considered the proposed development would be in accordance with the policies and objectives of the Fingal Development Plan 2017-2023 and the proper planning and sustainable development of the area.



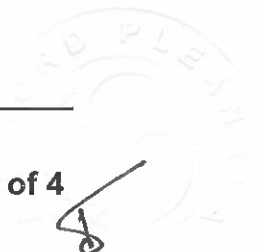
Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received by the planning authority on 26th day of July, 2021, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, any change to the display panel, including any increase in the number of posters to be displayed and the scrolling mechanism or the internal/external illumination, shall be the subject of a separate application for permission to the planning authority.

Reason: To enable the planning authority to assess the impacts of any such changes on the amenities of the area.



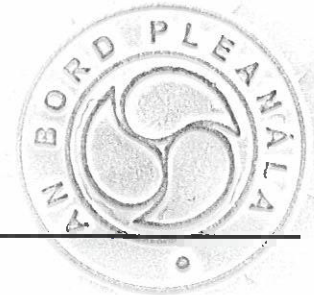
3. Within three months from the date of this order, the developer shall submit to, and agree in writing with, the planning authority a revised west elevation and corresponding photograph of the three residential units to demonstrate that the finishes are consistent.

Reason: In the interest of the proper planning and sustainable development of the area.



Terry Ó Niadh

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



Dated this 7th day of February, 2022