



An
Bord
Pleanála

Board Order
ABP-319041-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: FW23A/0370

Appeal by Tom Salmon care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin against the decision made on the 18th day of January, 2024 by Fingal County Council to grant subject to conditions a permission to Morgan Crowe, Brid Large and Faolan Crowe care of RMLA Planning Consultants of Unit 3B, Santry Avenue Industrial Estate, Santry Avenue, Santry, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The provision of an ancillary off-licence sales area of circa 77.76 square metres in the ground floor retail unit at Former Iceland Unit, Mountview Shopping Centre, Mountview Road, Blanchardstown, 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.

Reasons and Considerations

Having regard to the grounds of appeal, the applicant's response, the "LC" (Local Centre) zoning, and the relevant policy framework provided by the Fingal Development Plan 2023-2029, it is considered that the proposed change of use of part of the retail floor area (approximately 78 square metres) to ancillary off-licence use would not result in an oversupply of off-licence floor area within this Level 5 centre, would in terms of the operation of off-licence sales demonstrate appropriate controls and operation procedures, would be consistent with Section 7.5.5 (Retail Hierarchy including provision for Level 5 centres), including Objective EEO105 of the Fingal Development Plan 2023-2029 and would, therefore, subject to compliance with the conditions set out below, 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 developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.


Liam McGree

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

Dated this 08 day of JANUARY 2025.