# An Bord Pleanála



# PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

# Fingal County

## Planning Register Reference Number: F15A/0608

An Bord Pleanála Reference Number: 06F.LV.3306

**APPLICATION FOR LEAVE TO APPEAL** against the decision of the planning authority by Thomas Hynes of 1 The Priory, Malahide, County Dublin, having an interest in land adjoining the land in respect of which Fingal County Council decided on the 8<sup>th</sup> day of July, 2016 to grant subject to conditions permission to Architects Workshop Limited care of O'Connor Whelan of 222 to 224 Harold's Cross Road, Dublin.

**PROPOSED DEVELOPMENT:** Change of use of the first floor office (102 square metres) to restaurant to provide new seating area, private dining room, extended kitchen and remodelling of existing w/c's to existing first floor restaurant; two number new external internally illuminated box signs at first floor level with an area of 1.44 square metres each; a two-storey extension to the rear totalling 151 square metres (39 square metres at ground floor, 112 square metres at first floor), providing an extended restaurant at first floor level and access and bin stores at ground level, all at 32 to 36 Main Street, Malahide, County Dublin.

## DECISION

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, 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 submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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

Dated this day of 2016.