



An  
Bord  
Pleanála

**Board Direction**  
**BD-006202-20**  
**ABP-306609-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/07/2020.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the nature and scale of the development to be retained, the planning history and scale of development previously permitted on the site, and the policies and objectives of the development plan for the area, it is considered that subject to compliance with the conditions set out below the proposed development would not adversely impact on the amenities of the area, would not impact on the vitality of the town centre and would not result in the creation of a traffic hazard. The proposed development 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, as amended by the further plans and particulars submitted on the 9th day of December 2019, 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 07/04/2001 under planning register reference number 00/58, and any agreements entered into thereunder.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The development shall be provided with 3 no. additional on-site car parking spaces. Revised layout plans in this regard shall be submitted to and agreed in writing with the planning authority.

Alternatively, the developer may pay to the planning authority a financial contribution in lieu of the provision of one or all of these additional spaces in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended.

Details in this regard 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 for determination.

**Reason:** In the interests of road safety and orderly development.

4. The seating area outlined in orange on plans submitted to the Planning Authority on the 2nd May 2019 shall not be used for the display of goods for sale.

**Reason:** In the interests of orderly development

5. No goods or raw materials for sale shall be placed or stored between the front of the building and the road.

**Reason:** In the interest of orderly development and the visual amenities of the area

6. No signage, advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the canopy, on the forecourt building or anywhere within the curtilage of the site) unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity

7. The developer shall pay to the planning authority a financial contribution of €713 (seven hundred and thirteen euro) 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. The application of any indexation required by this condition 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.

**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.

**Board Member**

**Date:** 31/07/2020

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Michelle Fagan