

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

South Dublin County

Planning Register Reference Number: SD10A/0110

An Bord Pleanála Reference Number: PL 06S.237148

APPEAL by Anne Gill of 107 Marian Road, Rathfarnham, Dublin against the decision made on the 21st day of June, 2010 by South Dublin County Council to grant subject to conditions a permission to Dublin Bus Limited care of Clear Channel Ireland Limited of Unit 104, Northwest Business Park, Ballycoolin Road, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: A 5.3 metres by 1.9 metres by 2.5 metres high stainless steel and glass bus shelter with two number two square metres internally illuminated advertising panels at existing bus stop on Marian Road outside Rosemount Shopping Centre, 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

It is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in principle within the local centre zone, would not seriously injure the visual or residential amenities of the area and would be acceptable in terms of traffic safety and convenience. 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, 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. Litter in the vicinity of the bus shelter 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 commencement of development. This scheme shall include the provision of a litter bin within the immediate vicinity of the bus shelter.

Reason: In the interest of visual amenity.

3. Advertising panels shall be restricted to those shown on drawing number LMK04/01 received by the planning authority on the 28th day of April, 2010, and no further advertising signs or devices shall be affixed to the shelter without a prior grant of planning permission.

Reason: In the interest of visual amenity and to avoid visual clutter on the road.

4. The shelters and any advertising panels shall be so lit as not to cause glare to users of the public road or adjacent residential properties. All such panels shall be of the static type only, and scrolling/prismatic advertisements shall not be used.

Reason: In the interest of traffic safety and residential amenity.

5. When no longer required for the use for which it was erected, the bus shelter shall be removed permanently and the pavement reinstated.

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out between 0800 hours and 1900 hours Mondays to Fridays inclusive, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

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

Dated this day of 2010.