



Board Direction

Ref: PL01.245550

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 4th 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, subject to the amendments shown in the reasons, considerations and conditions set out below.

Reasons and Considerations

Having regard to the provisions of the current Carlow Town Development Plan 2012-2018 contained within The Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018, the land use zoning for the area, and the established use on the site, it is considered that subject to compliance with the conditions below, the proposed development would not adversely impact on the residential or visual amenities of the area. 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. Prior to commencement of development, the developer shall submit full details, drawings and specifications including materials to be used and colour(s) of the following for the written agreement of the Planning Authority:
 - (a) The proposed pitched glazed roof over and associated glazing opening doors onto the terraced area at first floor level.
 - (b) The proposed glazed flat roof partially covering the terrace area at first floor level.
 - (c) All external signage and lighting.

Reason: In the interest of visual amenity.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

4. The mitigation measures detailed in the Noise Management Plan submitted to the Planning Authority on 10th day of July 2015 shall be implemented to minimise the noise impact from the proposed development.

Reason: In the interest of public health.

5. Site development and building works shall be carried out only between the hours of 08.00-19.00 (Monday to Friday) inclusive, 08.00-16.00 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interests of sustainable waste management.

7. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

8. The developer shall pay to the planning authority a financial contribution of €39,551 (Thirty nine thousand five hundred and fifty one 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Note: The Board was satisfied that the proposed signage was acceptable and would not detract for the visual amenities of the area.

Board Member: _____ Date: 04.02.16

Paul Hyde