



## Board Direction

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**Ref: 03.245734**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15<sup>th</sup>, March 2016.

The Board decided to grant permission in accordance with the following reasons, considerations and conditions.

### REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, to the town centre location and commercial zoning of this brownfield site in the Ennis and Environs Development Plan 2008 – 2014, to the existing use of the site and to the established character and pattern of development in the area together with the extent of testing for archaeological remains that has been carried out to date, it is considered that the proposed development would enhance and facilitate better use of an existing sports facility and infrastructure which, subject to compliance with the conditions set out below, would be acceptable in terms of traffic safety and convenience, would be acceptable in terms of its impact on architectural heritage, would not seriously injure the residential or other amenities of the surrounding area and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered the submission received by An Bord Pleanála on 18<sup>th</sup>, January 2016 from the Development Applications Unit of the Department of Arts, Heritage and Gaeltacht, the Appellant in this case, and considered that the appellants remaining concerns in relation to the protection of archaeological heritage could be satisfactorily addressed in a grant of planning permission subject to the attachment of appropriate conditions which would include a condition incorporating the revisions to the proposed development contained within the submission to An Bord Pleanála received from the applicant on the 9<sup>th</sup> day of December 2015. The Board

did not share the Planning Inspector's concerns in relation to suggested Reason for Refusal No. 3. In this regard, the Board noted the merits of the proposed development insofar as it provides for the better and sustainable use of an existing town centre sports facility and associated infrastructure and considered that the management of occasional large volumes of people and traffic associated with major events could be appropriately addressed by means of management measures in conjunction with relevant authorities.

## CONDITIONS

- (1) Std. P and P and Reason (including modifications per plans and particulars received by An Bord Pleanála on the 9<sup>th</sup> day of December 2015)
- (2) The layout of the proposed access road and car park shall be as shown on Drg. No. J421D001 (Rev. 01) received by An Bord Pleanála on the 9<sup>th</sup> day of December, 2015 except as may otherwise be required to comply with the conditions set out below.

**Reason:** In the interest of clarity.

- (3) Car parking spaces numbered 33 to 44 inclusive as shown on Drg. No. J421D001 (Rev. 01) received by An Bord Pleanála on the 9<sup>th</sup> day of December, 2015 shall be omitted and this area shall be landscaped in order to provide a buffer zone with the adjoining heritage site. Details of the landscaping of this buffer zone shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interests of visual amenity and in order to protect the architectural integrity and setting of the adjoining Franciscan Abbey.

- (4) The proposed new entrance gate from Abbey Street shall be redesigned in order to provide for a less utilitarian and more attractive design and materials having regard to the location of the site within a designated Architectural Conservation Area and in keeping with the character of the adjacent Franciscan Abbey. Details of the re-designed gate which shall allow for views from the public road through to the site shall be submitted to and agreed in writing with the planning authority.

**Reason:** In the interest of visual amenity and in order to protect the heritage character of the area including the setting of the adjoining Franciscan Abbey.

(5) Precise details of the design and method of construction of the pedestrian path, drainage channels and any subsurface drainage pipes and works and of lighting along the route through the site from the proposed Abbey Street entrance in the area to the north of the Franciscan Abbey shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In order to protect the fabric of any archaeological remains in this area and to protect the setting of Franciscan Abbey.

(6) Suitably located information panels providing details of the history of the area to include details of the Franciscan Friary and Stammer House shall be provided within the car park. Details of the design, location and content of the sign shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interests of enhancing the archaeological, architectural and cultural heritage of the area.

(7) per p.a. c. no. 4 and Reason.

(8) per p.a. c. no. 6 and Reason

(9) std. Arch B and Reason

(10) Std. CMP (include construction hours) and Reason.

(11) The entire site shall be landscaped in accordance with a scheme of landscaping and boundary treatment details of which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

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

(12) The requirements of the planning authority in respect of surface water drainage shall be ascertained and strictly adhered to in the course of the proposed development.

**Reason:** In the interest of orderly development.

(13) Details of any proposals for the provision of public lighting which shall be angled and constructed so as to avoid any spill onto the riverbank or surrounding vegetation shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In order to protect the amenities of the area and in the interest of wildlife protection.

Board Member: \_\_\_\_\_ Date: 16<sup>th</sup>, March 2016  
Paddy Keogh