



Board Direction

Ref: PL28.245773

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 18th 2016.

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

Reasons and Considerations

Having regard to the nature, scale and design of the proposed development, to the planning history of the lands, to the zoning objective for the site as set out in the current Development Plan for the area and to the character of the general area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character 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 as amended by the further plans and particulars submitted to the Planning Authority on the 25th day September 2015 and by the further plans and particulars received by An Bord Pleanála on the 11th day of December 2015, 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, revised first floor plans shall be submitted to, and agreed in writing with, the planning authority incorporating the proposed staff canteen and associated staff locker area into the first floor layout.

Reason: In the interest of clarity.

3. The proposed shopfront shall be in accordance with the following requirements:-
 - (a) Signs shall be restricted to two fascia signs using sign writing or comprising either hand-painted lettering or individually mounted lettering, one over the entrance to the butchers shop and the second over the entrance to the café. No signage shall be erected on the meat preparation area to the rear;
 - (b) The fascia signs may be spotlit, but internally illuminated signs shall not be used;
 - (c) external roller shutters shall not be erected at any location on the premises, and any internal shutter shall be only of the perforated type, coloured to match the shop front colour;
 - (d) no adhesive material shall be affixed to the windows or the shopfront.

Reason: In the interest of visual amenity.

4. 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, other than the shop fascia signs specified in condition 3 of this permission, 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, and to allow the planning authority to assess any further signage or other elements through the statutory planning process.

5. (a) The hours of operation of the development shall be between 07.00 hours and 20.00 hours only.

(b) No deliveries shall be taken at or dispatched from the premises outside the hours of 07.00 and 20.00 Monday to Saturdays, nor at any time on Sundays or public holidays.

Reason: To protect the residential amenities of the area.

6. Water supply and 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.

7. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour shall be blue-black or slate-grey only, including ridge tiles.

Reason: In the interest of visual amenity.

8. (a) Parking for the development shall be provided in accordance with Option 1 as submitted to the planning authority on the 25th day of September 2015 with the provision of 10 car parking spaces, maximum and with 5% of total car parking spaces shall be allocated for disabled drivers i.e. 1 space.

(b) One car parking space which is equipped with a functioning electrical vehicle (EV) charging point as well as the provision of ducting to allow for the future fit out of an electric vehicle charge point for at least 10% of the car spaces shall be provided on site. All electrical vehicles charging infrastructure shall be in accordance with the planning authority's detailed standards for Electrical Vehicle Charging Infrastructure.

Reason: To ensure a satisfactory parking layout in the interests of pedestrian and traffic safety and of visual amenity.

9. Footpaths shall be dished at the site access in accordance with the requirements of the planning authority. Details of the materials to be

used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of pedestrian safety

10. Any takeaway element of the development shall be strictly as described in the particulars and documentation as submitted to the planning authority on the 25th day of September 2015, and shall be ancillary to the main use of the unit as a butchers / deli / café.

Reason: In the interest of residential amenity.

11. The entire development on the site shall be operated as a single entity, and no part of the development shall be sold, let or otherwise transferred or conveyed save as part of the overall site.

Reason: To restrict the use of the development in the interest of residential amenity.

12. 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. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interests of sustainable waste management.

13. Site development and building works shall be carried only out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 residential amenities of property in the vicinity.

14. As PA condition no. 9 (a), 9(c) and 9(d). [*Amend (d) from “submit to the planning authority for its written agreement“ to “submit to and agree in writing with, the planning authority”*]

15. The developer shall pay to the planning authority a financial contribution 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.

Board Member: _____ Date: 18th March 2016
Philip Jones