



Board Direction

Ref: 06F.246192

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 22nd 2016.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Amend condition numbers 2 and 5 (b), and reasons, as follows:-:

Condition no. 2

The use of the proposed office block shall be restricted to uses set out in Class 3 of Part 4 of Schedule 2 to the Planning and Development Regulations 2001 to 2015, and to use as offices for the provision of financial and professional services only where such services are not provided principally to visiting members of the public.

Reason: in order to clarify the extent of the permission, and in the interest of proper planning and sustainable development of the area.

Condition 5(b).

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs, advertisement structures, banners, canopies, flags, or other projecting elements, other than the signage agreed with the planning authority under condition 5(a)(3) of this order, shall be displayed or erected on the building 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 advertisement structures through the statutory planning process.

Omit condition 13 (g)

Attach condition 14 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the zoning objective for the site, as set out in the current Development Plan for the area, and having regard to the existing character and pattern of development in the vicinity of the site, it is considered appropriate to amend condition no. 2 to allow for a less restricted range of uses. In order to ensure effective control over advertising signage, and having regard to the provisions of condition 5(a)(3) of the permission, it is considered appropriate to require planning permission for all further signage and advertisements, but to modify the wording of condition 5(b). Having regard to the proposed use of the subject development, it is considered that condition no. 13(g) is not required. In relation to condition 14, it is considered that the terms of the relevant Development Contribution Scheme have been properly applied.

In not accepting the Inspector's recommendation to require the omission of condition 14, the Board considered that it had not been established that the Development Contribution Scheme had not been properly applied in this instance, and noted that the Scheme does not include any exemption or reduction in the case of a development where financial contributions had previously been paid on the same site.

Board Member: _____
Philip Jones

Date: 22nd June 2016