



An
Bord
Pleanála

Board Direction
PL08.246446

The submissions on this file and the Inspector's report were considered at a Board meeting held on August 17th 2016.

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

Reasons and Considerations

Having regard to the pattern of development in the area , the Tralee Town Development Plan 2009 – 2015 (as extended), the Retail Planning Guidelines and to the mix of uses and the quantum of development proposed and to the edge of centre location of the site , the Board considered that the proposed development, subject to the conditions as set out below, would be acceptable in terms of visual and residential amenity of the area and would not constitute a traffic hazard and would therefore 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 concurred with the Planning authority and accepted that petrol stations are not normally permitted within the zoning but having regard to the context of the site considered that it was not a prime retail location but rather an edge of centre one and that the proposed mix of uses represented an acceptable level of development for the site and was in compliance with the zoning provisions of the Tralee Town Development Plan 2009 – 2015 (as extended

Conditions

1. Plans and Particulars.
2. The signage shall be restricted to one standalone monolith sign. Details indicating compliance with this condition shall be submitted to and agreed in writing with the planning authority prior to commencement of works on site.

Reason: In the interest of orderly development.

3. as per PA condition 7
4. as per PA condition 8
5. as per PA condition 9
6. as per PA condition 10
7. as per PA condition 11
8. Standard Landscaping condition
9. Standard CMP
10. as per PA condition 13
11. as per PA condition 16
12. 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.

13. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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 _____

Paul Hyde

Date: 17th August 2016