



Board Direction

Ref: 09.246602

The submissions on this file and the Inspector's report were considered at a Board meeting held on 7th, September 2016.

The Board decided (by a majority of 2 : 1) to refuse permission generally in accordance with the following reasons and considerations.

Reasons and Considerations

1. The proposed development relates to a Protected Structure located within an area zoned 'town centre' and within an area designated an Architectural Conservation Area in the Athy Town Development Plan 2012 – 2018. It is the policy of the planning authority, as set out in the development plan "To discourage amusement/gaming arcades in the Core Retail Area, as they are considered to be an undesirable use and potentially detrimental to the business and commercial environment of the town" (Policy RP25). The Board previously granted planning permission for the proposed development on a temporary basis for a period of 3 years only on the basis that the use would contribute to the maintenance of the Protected Structure. Notwithstanding this previous grant of planning permission, it is considered the continued use of the premises as a gaming and amusement arcaded would detract from the primary retail use of the street and from the vitality and vibrancy of the town centre and would contravene Development Plan policy RP25. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board accepted certain merits of the proposed development insofar as it provided for the removal of some signage and the reinstatement of architectural detail to the front elevation of the Protected

Structure. The Board considered that these overcame Reason No.2 of the Board's previous decision under Appeal No. 09.245547. However, the Board did not share the Planning Inspector's conclusion that the modifications now being proposed would render the use acceptable in the context of an important Protected Structure prominently located with a designated Architectural Conservation Area.

Board Member: _____
Paddy Keogh

Date: 19th, September 2016