



An
Bord
Pleanála

**Board Direction
PL08.247186.**

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 9th 2017.

The Board decided to grant permission generally in accordance with the inspector's recommendation as set out in the following reasons, considerations and conditions.

Reasons and Considerations

Having regard to the established use on the appeal site and the pattern of development in the area and the extent of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of the property in the vicinity, would not result in a risk of flooding, would not result in a traffic hazard and 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 on the 11th day of July 2016, 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. The proposed development shall be used for warehousing storage use only. No retail or retail warehousing use shall take place from these premises.

Reason: To limit the use of the development, having regard to the availability of car parking and in the interest of the proper planning and sustainable development of the area.

3. The development shall include all proposed flood resilient construction measures detailed in the Flood Risk Assessment submitted to the planning authority on the 11th day of July 2016.

Reason: In the interest of orderly development.

4. No additional floorspace shall be formed by means of internal horizontal division within the building hereby permitted unless authorised by a prior grant of permission.

Reason: In order to control the intensity of development and to ensure that adequate car parking will be provided.

5. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

6. The existing stone clad wall and railing boundary with Ballycasheen Road shall be retained along the site frontage.

Reason: In the interest of visual amenity.

7. 13 no. car parking spaces and 2 no. loading bay spaces shall be provided within the overall site. The layout of these spaces which shall be no less than 4.8 x 2.4m for car parking spaces and 6.1m x 3m for loading bay shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate off-street parking and loading provision is available to serve the proposed development.

8. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

9. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours 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.

10. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site and adjoining lands under the control of the developer unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

11. 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 _____

Date: 09.01.17

Paul Hyde