



An
Bord
Pleanála

Board Direction
PL06D.247514

The submissions on this file, the Inspector's report, the submissions received in response to the S.321/137 notices and the further public notices were considered at a further Board meeting held on May 15th, 2017.

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

Reasons and Considerations

Having regard to the nature and extent of the development proposed, the site's District Centre land use zoning objective in the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the pattern of development in the area and the planning history of the site, it is considered that the proposed amended shop development, as submitted with the first party appeal documentation, would promote the zoning objective "DC" for the site, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would comprise an acceptable design and use in this transitional area. It is, therefore, considered that the amended development submitted with the first party appeal, would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. Plan particulars as lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 2nd day of November, 2016, and revised public notices

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The proposed shop shall be provided with a green roof.
 - (b) The existing pipes underneath the site of the proposed shop shall be surveyed by CCTV or other means, as agreed in writing with the planning authority, to the point at which they join the public network.
 - (c) Existing cycle stands in the surface car park shall be retained and augmented, as appropriate, under a cycle parking plan for the site.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to promote good site drainage practice and a sustainable mode of transportation.

3. Details of the materials, colours and textures of all the external finishes to the proposed shop and associated new wall shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the attenuation and 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.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. 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.

7. The landscaping scheme shown on drg. no. 1529-A-PL-106 Revision D, as submitted to the An Bord Pleanála on the 2nd day of November, 2016, shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

8. a) Details of the signage shown indicatively on the plans submitted to An Bord Pleanála on 2nd day of November 2016 shall be submitted to and agreed in writing with the planning authority, prior to its installation.

b) Save for the provisions of a) above and ...Retail Ad 3

Reason: To afford the planning control over such signage in the interest of visual amenity.

9. Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

10. 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.

Note: The Board concurred with the Inspector that no appropriate assessment issues arise in this case.

Board Member

Date: May 15th, 2017

Nicholas Mulcahy

Please issue a copy of direction with order.