



An  
Bord  
Pleanála

**Board Direction**  
**PL.09.248492**

---

The submissions on this file and the Inspector's report were considered at a Board meeting held on September 19<sup>th</sup> 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 location of the site on residentially zoned lands and to the compliance with the development standards for residential and retail development in the Kildare County Development Plan 2017-2023 and the Maynooth Local Area Plan 2013-2019, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the residential amenities of the area. The proposed development 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 the 24th March 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed 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. Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3 Details of the external shopfront and signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

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

4 No advertisement or advertisement structure, other than those shown on the drawings submitted with the application shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

5 Details of all external lighting associated with the development shall be submitted for the agreement in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual and residential amenity.

6 The proposed shop shall not operate outside the period of 0800 to 2100 hours Monday to Friday and 0900 to 2100 hours Saturday Sunday and Bank Holidays inclusive.

**Reason:** In the interest of residential amenities.

7 No deliveries shall be taken from the premises outside the hours of 0900 hours and 1700 hours, Monday to Saturdays, nor at any time on Sundays or public holidays.

**Reason:** To protect the residential amenities of the area.

8 The grant of this permission does not include permission for the sale of hot food for consumption off the premises.

**Reason:** In the interest of orderly development.

9 The area to the side and rear of the premises shall be used for car parking associated with the residential unit only and not for delivery vehicles.

**Reason:** In the interest of residential amenity.

10 Existing planting located along the northern rear boundary of the site shall be retained.

**Reason:** In the interest of visual and residential amenity.

11 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.

12 The developer shall pay to the planning authority a financial contribution respect of public infrastructure and facilities benefitting 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 the 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 developers or, in default of such agreement, the matter shall be referred to An Bord Pleanala 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:** 19.09.17

---

Paul Hyde