



An
Bord
Pleanála

**Board Direction
PL27.249010**

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 7th 2018.

The Board decided, on a vote of two to one, 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 zoning provision for the site, the town centre location, to the existence of a vehicular entrance into the site, to the nature and extent of uses in the immediate vicinity, and to the design and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the visual amenities and character of the Blessington Architectural Conservation Area, would not seriously injure the amenities of adjoining properties, would provide a satisfactory standard of accommodation for occupiers of the proposed development, would be acceptable in terms of pedestrian and traffic safety, and would be in accordance with the provisions of Blessington Local Area Plan 2013-2019 and Wicklow County Development Plan 2016-2022. 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, 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 use of the proposed commercial units shall be restricted to use as shops, as defined in Article 5 of the Planning and Development Regulations 2001, as amended, or to use for office purposes as defined in Class 3 of Part 4 of Schedule 2 to the Planning and Development Regulations 2001, as amended. Any other use shall be the subject of a separate grant of planning permission.

Reason: To limit the use of this part of the development to a use which is considered to be acceptable within the area, and to allow the planning authority to assess any other use(s) through the statutory planning process.

3. As PA condition 6 (a), (b) and (c), [*with the following text after the three indents:*]

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

Reason: In the interest of visual amenity and to protect and enhance the character of the Blessington Architectural Conservation Area.

4. (a) Signage for the proposed development shall be restricted to the shopfront fascias only, and shall consist of individual raised lettering, without backlighting, or of hand painted signs. Details of such signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (b) The erection of any external roller shutters shall not take place.

Reason: In the interest of protecting the amenities of the Blessington Architectural Conservation Area.

5. Apart from the fascia signage agreed under condition 4 (a) of this permission, and notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area, and to allow the planning authority to assess any such further signage or advertisements through the statutory planning process.

6. The proposed development shall be amended as follows:-

- (a) The proposed hidden terraces at roof level in the four proposed houses shall be omitted, together with the internal mezzanines and stairs

serving them, and the first floor level within these houses shall be of full height internally throughout.

- (b) The internal courtyard car parking area shall be reduced in order to provide for two number enclosed refuse storage areas, one for the ground floor retail/office units and the second for the proposed apartments/houses. These shall be of sufficient size to accommodate the full range and size of recycling bins required by the planning authority and shall, in each case, be fully roofed.
- (c) All rear gardens shall be provided throughout with dividing boundary walls of concrete block construction, not less than 1.8 metres in height, which shall be rendered on both sides and capped. (Concrete post and timber panel fencing shall not be used).

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 the interests of residential and visual amenity, adequate refuse storage and to ensure the provision of durable boundary treatment to rear gardens.

- 7. Details of the materials, colours and textures of all the external finishes to the proposed buildings, other than those required under condition 3 of this order, shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. Roof colours shall be blue-black or slate grey only (including ridge tiles).

Reason: In the interest of visual amenity.

8. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the proposed four houses without a prior grant of planning permission.

Reason: In the interest of the amenities of the area, having regard to the limited area of private open space provided to these houses.

9. 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. Prior to commencement of development, details of attenuation proposals, including calculations that take into account an allowance for climate change and the means by which the flow of surface water from the site shall be controlled, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

10. CMP1 (including hours)
11. Part V model condition
12. 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: 7th February 2018

Philip Jones