



An
Bord
Pleanála

Board Direction
PL61.249046

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 9th 2018.

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 CI zoning objective associated with the site, to the planning history of the subject site, and to the limited nature and extent of the proposed development, it is considered that the proposed change of use, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of pedestrian and traffic safety. 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 the 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 developer shall provide cycle parking spaces within the development site. Details of the number, location and design of cycle parking spaces shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of sustainable transport.

3. Details of any signage proposed for the subject development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity, and to allow the planning authority to assess and approve the design quality and impact of any such signage in detail.

4. Apart from the signage agreed in writing with the planning authority under condition 3 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 building 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.

5. Prior to the commencement of development details of all plant machinery, filters and extraction vents associated with the development shall be submitted to, and agreed in writing with, the planning authority. These shall include any proposal for sound attenuation measures to be incorporated within such plant, machinery ducting filters or extraction vents. All plant shall be located within the building or basement and shall not extend beyond the roof level unless subject of a separate planning application.

Reason: In the interest of residential and visual amenity.

6. The proposed restaurant shall not be used for the sale of hot food for consumption off the premises (hot food takeaway), without a separate grant of planning permission.

Reason: in the interest of pedestrian and traffic safety, and to allow the planning authority to assess the impact of such use (which was not specifically included in the present application), through the statutory planning process.

7. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

8. CMP 1 (without hours)
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: To protect the amenities of the area.

Board Member

Date: 9th February 2018

Philip Jones