



An  
Bord  
Pleanála

**Board Direction**  
**PL04.249141**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on February 6<sup>th</sup> 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 'Town Centre' zoning of the subject site, the pattern of development in the area and the scale and design of the proposed development, it is considered that, subject to compliance with conditions below, the proposed development would not adversely impact upon the vitality and viability of Douglas town centre, would not seriously injure the visual amenities of the area and would 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 as amended by the further plans and particulars submitted on the 25<sup>th</sup> day of July 2017, 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. (a) Signage for the proposed development shall be restricted to the fascia only, and shall consist of individual raised lettering, without backlighting, or of a hand painted sign. 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 Architectural Conservation Area.

3. Apart from the fascia signage agreed under condition 2 (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.

4. 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.

5. The proposed unit shall operate between the hours of 08:00 and 18:00, Monday-Saturday as outlined in the details submitted with the application.

**Reason;** To safeguard the amenities of the area, and to limit the hours to those for which permission was applied.

6. 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 and to ensure a proper standard of development.

7. Prior to the commencement of development, the developer shall submit, and obtain written agreement of the planning authority to, a plan containing details of the management of waste (and, in particular, recyclable materials) within the development including the provision of facilities for the separation and the collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

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

8. 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.

9. Prior to the commencement of development, a scheme shall be submitted to, and approved in writing with, the Planning Authority for the effective control of fumes and odours from the premises.

**Reason:** In the interests of the amenities of both the immediate neighbours and general surroundings.

10. Prior to the commencement of development, a litter management scheme for the proposed development shall be submitted to, and agreed in writing with, the Planning Authority.

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

**Board Member**

**Date:** 6<sup>th</sup> February 2018

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Philip Jones