



An
Bord
Pleanála

Board Direction
PL92.249153

The submissions on this file and the Inspector's report were considered at a Board meeting held on 8th March, 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 nature of the development and the planning history of the site it is considered that subject to compliance with the conditions set out below, the development would not detract from the character and visual amenities of the area or seriously injure the residential amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This grant of permission for the retention of development as stated in the public applied for in the public notices lodged with the application on the 27th of April 2017.

Reason: In the interests of clarity

- 2 This grant of permission is for a period not exceeding five years from the date of this order. On or before the expiry of the period of five years the structures shall be removed from the site. unless, prior to the end of the period, permission for their retention for a further period shall have been obtained.

Reason: To allow for a review of the development having regard to the circumstances then pertaining and in the interest of clarity and orderly development

- 3 The development shall only be used between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive (excluding public holidays), and only between the 08.00 hours and 16.00 hours on Saturdays and no activities shall occur on Sundays and public holidays.

Reason: In the interest of residential amenity.

- 4 The noise level shall not exceed 55 dB(A) rated sound level (that is, corrected sound level for a tonal or impulsive component) at the nearest noise sensitive location in this case a habitable dwelling between 08.00 and 18.00 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site

- 5 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.

Please include PA condition 5 .

Board Member

Date: 9th March,2018.

Terry O'Niadh