



An
Bord
Pleanála

Board Direction
BD-001268-18
ABP-301307-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/10/2018.

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 provisions of the current Wexford Town and Environs Development Plan 2009 to 2019 and the location of the site within the defined secondary retail core under the County Retail Strategy, the long term vacancy of the unit, the planning history of the overall development and to the nature and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area nor result in an over proliferation of restaurant units in this area and would have no material impact on the vitality and viability of Wexford Town Centre. The proposed development would 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. PA Condition 6

Reason: In the interest of orderly development.

3. The development hereby permitted shall be used solely as a restaurant, and shall not be used for the sale of hot food for consumption off the premises (that is, as a takeaway).

Reason: To restrict the nature and extent of the development to that applied for, and in order to protect amenities of property in the vicinity.

4. (a) Details of signage on the proposed shopfront, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. No illuminated signage, whether external or internal shall be provided.

(b) No roller shutters shall be erected on the exterior of the development.

(c) No advertisements shall be placed on the proposed awning, and no advertisements or signage of any kind shall be erected on the side elevation of the existing building.

Reason: To protect the visual amenities of the area.

5. Apart from the shopfront 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 further 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.

6. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

Reason: In the interest of visual amenity.

7. The developer shall control odour emissions from the premises in accordance with measures, including ducting, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public health and to protect the amenities of the area.

8. A plan containing details for the management of waste/recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste/recyclable materials including waste oil and for the ongoing operation of these facilities 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/recyclable materials in the interest of protecting the environment.

9. Water supply and drainage arrangements, including the attenuation and 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.

10. Details of the materials, colours and textures of all the external finishes to the proposed development, including the windows, canopies and doors, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

11. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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: In order to safeguard the amenities of property in the vicinity.

12. Prior to the commencement of development, the applicant shall liaise with the Iarnrod Eireann Infrastructure office to determine the required boundary treatment adjacent to the rear access door and railway. Details of the boundary treatment shall be submitted to and agreed in writing with the Planning Authority. The agreed boundary shall be provided prior to the opening of the restaurant to the public.

Reason: In the interest of public safety.

Plus

PA condition 7

Board Member

Date: 04/10/2018

Terry Ó Niadh