



An
Bord
Pleanála

Board Direction
BD-001558-18
ABP-301368-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/11/2018.

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 location of the site within the designated 'town centre' zone of Bandon, the established pattern of development on the site and in the vicinity, it is considered that, subject to compliance with the conditions set out below, the development would be acceptable in terms of residential amenity. 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 21/02/18, 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. Use of the overall premises shall be restricted to those uses specified in the documentation lodged with the planning authority and any change of use, whether within the use class for exempted development of the planning and Development Regulations, 2001 as amended, or otherwise, shall be subject to the prior permission of the planning authority.

Reason: In the interest of orderly development.

3. (a) 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.

(b) The surface water drainage system shall be designed and constructed so that water contaminated by petrol or waste oils is piped to oil/grease traps before discharging to the sewerage system. All grease traps and oil sumps shall be cleaned on a regular basis.

(c) Car wash water shall be adequately settled prior to discharge to ensure that silt is retained. Such silt shall be removed at regular intervals and disposed of in an environmentally safe manner.

Reason: In the interest of public health and ensuring proper and efficient drainage.

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 any point along the northern and southern boundaries of the site between 0800 and 2000 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. (a) The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

(b) Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 09.00 to 14.00 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: In the interests of public safety and residential amenity

6. Noise monitoring locations for the purposes of the construction phase of the proposed development shall be agreed in writing with the planning authority prior to commencement of any development on site.

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

7. No additional development shall take place above roof parapet level, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

8. (a) No advertisement or advertisement structure other than those shown on the drawings submitted with the application shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

(b) No awnings, canopies, illuminated signs or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission,

(c) External roller shutter shall not be erected, any internal shutter shall be only of the perforated type, coloured to match the shop front colour.

Reason: In the interest of visual amenity and to maintain the retail character at street level.

9. No music or other amplified sound shall be broadcast externally from the premises.

Reason: To protect the amenities of the area.

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

Reason: In the interest of clarity.

11. All external lighting of the proposed development shall be cowled and directed away from the public roadway and from surrounding residential dwellings.

Reason: In the interest of public safety and visual amenity.

12. 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 the commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

Reason: In the interest of visual amenity.

13. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice

Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

14. (a) No deliveries shall be loaded / unloaded on the adjacent public roads.
- (b) Vehicles shall not be permitted to reverse onto or off the public road, sufficient space shall be provided within the site to allow for all vehicles, including deliveries, to drive in and out of the site.
- (c) Customer car parking shall be accommodated solely on the site.
- (d) No goods, merchandise or other materials shall be stored and / or displayed for sale on or about the forecourt area without a prior grant of planning permission.

Reason: In the interest of visual amenity and traffic safety.

15. All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interest of visual and residential amenity.

16. There shall be no interference with, bridging, draining or culverting of the adjacent river, its banks or bankside vegetation to facilitate this development without the prior approval of the Planning Authority.

Reason: In the interest of orderly development.

17. The hours of operation of the laundromat, car wash, service station and retail shop shall be between 06:30 and 22:00 hours Monday to Saturday and 07:30 and 22:00 Sunday and Public Holidays.

Reason: In the interest of residential amenity of property in the vicinity.

18. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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: 07/11/2018

Stephen Bohan