



An
Bord
Pleanála

Board Direction
BD-001461-18
ABP-302095-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/10/2018.

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 pattern of development in the vicinity and the quantum of car-parking which exists within this shopping centre complex, it is considered that the proposed development, subject to compliance with the attached conditions, would be acceptable in terms of traffic safety and convenience, would not promote anti-social behaviour, and 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 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 i) The development hereby permitted shall be used solely for the purpose applied for, and shall not be used for the sale of hot food for consumption off the premises (i.e take away).

ii) Opening Hours as Per PA Condition 2.

Reason: In the interest of clarity and of pedestrian and traffic safety.

3. Details, including samples of the materials, colours and textures of all external finishes, including external paving/hard landscaping, 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.

4. Details of signage for the proposed café shall be submitted to and agreed in writing with the planning authority prior to first occupation of the building apart from the agreed signange.

Reason: In the interest of visual amenity.

5. 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, as appropriate.

Reason: In the interest of public health and to ensure a proper standard of development.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual amenity.

7. The construction of the development shall be managed in accordance with a Construction 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8 Bicycle parking spaces, in accordance with the current South Dublin County Council Development Plan standards (Table 11.22) shall be provided within the curtilage of this site for use of staff and patrons.

Reason: To encourage a modal shift from private motor car to bicycle, in the interest of orderly development.

9. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority, and obtain such written agreement, in relation to vehicular access to proposed parking spaces 95-97.

Reason: In the interest of traffic safety and orderly development.

10. Prior to commencement of development, the developer shall submit, and obtain the written agreement of the planning authority to, a plan containing details for the management of waste and, in particular, recyclable materials, within the development during the site-clearance, construction and operational phases; including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

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

11. 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. The application of any indexation required by this condition 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.

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.

Board Member

Date: 30/10/2018

Paul Hyde