



An
Bord
Pleanála

Board Direction
BD-002673-19
ABP-303032-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 25th 2019.

The Board decided, on a vote of 2 to 1, to refuse permission for the following reasons and considerations.

Reasons and Considerations

The proposed development is located on lands zoned as 'Q – Enterprise and Employment' in the Newbridge Local Area Plan 2013 – 2019. A “gym” is neither permissible nor open for consideration on Q zoned lands, and would be similar to use as a recreational or sports building land use, which use is not permitted within this zoning. The proposed development would, if permitted, materially contravene the zoning objective for the lands indicated in this local area plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had regard to the provisions of the Newbridge Local Area Plan 2013 – 2019, and in particular section 8.2, which explicitly states that proposed land uses not listed in the Land Use Zoning Matrix in Table 18 are to be considered on their merits “with reference to the most appropriate use of a similar nature” as set out in the matrix

table and in relation to the general policies and objectives and zoning objectives for the area. The Board was of the view that the proposed use, as a gym, was most similar to the “community / recreational / sports buildings” Land Use in the Land Use Zoning Matrix (Table 18), which is listed as “not permitted” within Zoning Objective Q (Enterprise and Employment). The Board did not concur with the Inspector that the proposed use could be simply considered “on its merits”, and did not accept that such a use would be appropriate within the former industrial/warehouse unit concerned, nor that it would be a compatible use in this area. The Board therefore agreed with the Planning Authority’s interpretation, and accepted that the development would represent a material contravention of the Local Area Plan.

Board Member

Date: 25th March 2019

Philip Jones