



An
Bord
Pleanála

Board Direction
BD-003109-19
ABP-303510-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/05/2019.

The Board decided on a vote of 2:1 to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the zoning objectives for the area, the established use on the site, the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, that the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would therefore be in accordance with proper planning and sustainable development in the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board agreed with the planning authority, and considered that the modest increase in the area of the public house, would not seriously injure the amenities 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 19th day of November 2018, 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. The proposed development shall be amended as follows:

- (a) The proposed shopfront treatment to the former shop within the Ivy House building shall be omitted, including the proposal to paint the granite piers.
- (b) A window (or windows) and door shall be provided, in keeping with the character of the existing Ivy House shopfront and building.
- (c) The development shall not extend to overhang the footpath.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity.

3. PA Condition 6 (b)

4. The outdoor beer garden shall be closed between the hours of 23:30 and 10:30 daily and there shall be no live musical performances or speakers erected externally or directly into external areas.

- (a) All entrance doors in the external envelope shall be tightly fitting and self-closing.
- (b) All windows and roof lights shall be double-glazed and tightly fitting.

- (c) Noise attenuators shall be fitted to any openings required for ventilation or air conditioning purposes.

Details indicating the proposed methods of compliance with the above requirements 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.

5. 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 public health and to protect the amenities of the area.

6. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no 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.

7. 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 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 order to safeguard the amenities of property in the vicinity.

8. (a) 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, noise management measures and off-site disposal of construction/demolition waste.

(b) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer

Reason: In the interests of public safety.

9. 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.

Reason: In the interest of public health.

Board Member

Date: 22/05/2019

Michelle Fagan