



An  
Bord  
Pleanála

**Board Direction**  
**BD-003335-19**  
**ABP-303622-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/06/2019.

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 area and to the scale, nature and design of the works to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity and would not give rise to a traffic hazard. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board noted that the development proposed for retention is not directly connected with or necessary to the management of the River Barrow and Nore SAC (Site Code 002162). In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European site which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on this European site in view of the site's Conservation Objectives. The Board was satisfied that the development proposed to be retained, either individually or in combination with other plans or projects, would

not be likely to have a significant effect on the River Barrow and Nore SAC, or any other European site, in view of the site's Conservation Objectives.

## **Conditions**

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 18th of December 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 and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity

2. This grant of permission relates to retention of revisions and changes to a development granted planning permission under the parent permission, planning reference P.16/841. This permission is conditional on all conditions being complied in accordance with the terms and conditions of the parent permission P.16/841.

**Reason:** In the interest of clarity

3. 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 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

**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:** 18/06/2019

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Dave Walsh