



An
Bord
Pleanála

Board Direction
BD-005699-20
ABP-305927-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/05/2020.

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 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, would be acceptable in terms of traffic safety and convenience and would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

- 1 **PlanPartic** in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted the 24th day of September 2019, and by the further plans and particulars received by An Bord Pleanála on 17th December 2019 ...

- 2 (a) Details of the general appearance of finishes to the building, including details of signage, shuttering (which shall be internalised) and lighting shall be submitted to and agreed with the planning authority prior to the commencement of development.
- (b) No other advertisement or advertisement structure including poster signs or flagpoles shall be erected or displayed on the building, within the site's curtilage or along the roadside unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity. In order to allow the planning authority to assess the impact of any such advertisement or structure on the amenities of the area.

- 3 The road works associated with the proposed development including the setting out of the entrance, relocation of on street car parking, paving and surface finishes shall be carried out and completed in accordance with the requirements of the planning authority.

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

- 4 Prior to the commencement of development full details of works to the public road and public realm shall be agreed in writing with the Planning Authority. The developer shall liaise with the applicable utility provider with regard to the removal / relocation of electricity public lighting column adjacent to the site, and the undergrounding or relocation of overhead cables. All works shall be carried out at the developer's expense.

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

- 5 Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, no items associated with refrigeration, ventilation or air conditioning shall be erected or placed on any external surface of the proposed structures without the prior written agreement of the Planning Authority.

Reason: In the interest of the amenity of the area.

6 The developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

7. Water supply and drainage arrangements shall comply with the requirements of the Planning Authority for such works and services, and shall be agreed in writing with the Planning Authority prior to commencement of development.

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

8. The 3 no 6m lighting poles indicated on Drawing E-(6-01) Site Lighting Layout do not form part of the permission and shall be permanently omitted from the scheme.

Reason: In the interest of residential amenity.

9. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of the visual amenities of the area.

10 All materials and goods shall be stored within the confines of the building.

Reason: In the interest of visual amenity.

11. (a) During the operational phase of the proposed development, the noise level from within the premises, measured at noise sensitive locations in the vicinity, shall not exceed -

(i) an LAeqT value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday (inclusive). The T value shall be one hour.

(ii) an LAeqT value of 45 dB(A) at any other time. The T value shall be 15 minutes. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10dB(A) above background levels at the boundary of the site.

(b) All sound measurements shall be carried out in accordance with ISO Recommendations R 1996, "Assessment of Noise with Respect to Community Response" as amended by ISO Recommendations R 1996, 1, 2 or 3, "Description and Measurement of Environmental Noise", as applicable.

Reason: To protect the amenities of properties in the vicinity of the site.

12. A waste management plan including the provision for the storage, separation and collection of all waste, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of the permitted use.

Reason: In the interest of public health and the amenities of the area.

- 13 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.

14. 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.

15. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the 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 Contributions Scheme made under section 48 if the Act be applied to the permission.

Board Member

Date: 06/05/2020

John Connolly