



An
Bord
Pleanála

Board Direction
BD-005510-20
ABP-306432-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/03/2020.

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 provisions of the Donegal County Development Plan 2018-2024, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not hamper the development of a high quality vibrant town centre. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be developed 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. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

3. Prior to the commencement of development details of colour, design and location of all signage proposed shall be submitted and approved by the planning authority.

Reason: In the interest of visual amenity and orderly development.

4. The shopfront shall be in accordance with the following requirements: -
 - a. All external lights shall be adequately hooded and aligned to as to prevent direct spillage of light onto the public road.
 - b. No L.E.D., neon or similar lights shall be erected on the subject premises, structure or site.
 - c. No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission.
 - d. No digital displays or similar illuminated streaming media shall be erected or displayed on the subject premises, structure or site.

Reason: In the interest of visual amenity.

5. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

6. The sound levels from any loudspeaker announcements, music or other material projected in or from the premises shall be controlled so as to ensure the sound is not audible in adjoining premises or at two metres from the frontage.

Reason: In the interests of environmental amenity.

7. The amusement arcade building hereby permitted shall only be open for use between the hours of 09.30am – 11.00pm Sunday to Thursday and 09.30am – 12.30am Friday and Saturday.

Reason: In the interest of residential amenity.

8. 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. 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: 25/03/2020

Paul Hyde