



An
Bord
Pleanála

Board Direction
BD-007252-21
ABP-306842-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/01/2021.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the former use on the site which is located centrally in Clonee Village, the policies and objectives of the current County Development Plan for the area, the nature, design and scale of the proposed development, it is considered that the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, would be acceptable in terms of public health and in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the ppsd of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board, on the basis of the information submitted as part of the application and appeal, including the information submitted by the applicant on 10th November 2020, considered that the proposed development would not contravene materially a policy of the County Development Plan in relation to flooding, would not be prejudicial to public health, would not pose an unacceptable risk to the owner/occupiers of the proposed development arising from flood risk, or would not be contrary to the ministerial guidelines on Flood Risk Assessment issued to the planning authorities under Section 28 of the Planning and Development Act 2000 to 2019, and therefore would not be contrary to the proper planning and sustainable development in the area.

Conditions

1. Planpartic referring to further information submitted to the pa on 17.12.19 and to the further information submitted to the Board on 12.01.21.
2. A revised car parking layout consistent with Development Plan standards shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

3. Urban Finishes
4. Internroad 1
5. (a) No demolitions shall take place during the period of 1st March to 31st August in any year.
(b) Any destruction of bat roosting sites shall be carried out by a suitably qualified bat ecologist under licence by the Minister of Culture, Heritage and the Gaeltacht.

Reason: In the interest of biodiversity.

6. Details of all external signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

7. Urban Waterdrain
8. Irish Water
9. ArchC
10. Details of any plant /equipment serving the proposed café units shall be submitted to the planning authority for written agreement prior to the occupation of the units by a café use.
Reason: In the interest of residential amenity.
11. The opening hours of any proposed café unit shall be submitted to the planning authority for written agreement prior to the occupation of the units by a café use.

Reason: In the interest of residential amenity.

12. A minimum of 10% of all communal car parking spaces shall be provided with functioning electric vehicle (EV) charging stations/points. Ducting shall be provided for all remaining car parking spaces, to facilitate the installation of electric vehicle charging points/stations at a later date. Such proposals shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development, and the agreed provisions shall be carried out and completed prior to the making available by the developer for occupation of any of the residential units in the proposed development.

Reason: In the interest of sustainable transport.

- 13. Lighting
- 14. Naming
- 15. Roofplant
- 16. ConstrHours
- 17. UrbanManage1
- 18. CDW
- 19. Urbanwaste2
- 20. CMP2
- 21. Part V
- 22. Security3
- 23. S48 unspecified

Board Member

Date: 12/01/2021

Terry Prendergast