



An
Bord
Pleanála

Board Direction
BD-007054-20
ABP-307914-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/11/2020.

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 location of the site, the Commercial zoning of the site, the location of the units within the curtilage of an existing filling station, the intended use of the proposed units, the relevant Section 28 Ministerial Guidelines, the policies and objectives of the Clare County Development Plan 2017-2023, and the pattern of existing and permitted development in the area, 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 and would therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the requirements under Regulation 37 of the Waste Management (Facility Permit and Registration) Regulations, 2007 as amended which requires the operator to secure a Certificate of Registration, requiring demonstration of compliance with Part VII of the Waste Management (Facility Permit and Registration) (Amendment) Regulations, 2015, the requirement to facilitate a cohort of persons for whom access to a bring facility is not readily available, and considered that the proposed development would be in compliance with the Southern Regional Waste Planning Management Plan, and the provisions of the County Development Plan

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 15th day of June 2020, 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. PA condition 2
3. PA condition 3
4. PA condition 4
5. PA condition 5

Board Member

Date: 30/11/2020

Michelle Fagan