



An
Bord
Pleanála

Board Direction
BD-007656-21
ABP-308199-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/03/2021.

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 town centre zoning objective for the site and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 29th day of July 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. This permission shall be for a period of three years from the date of this order. The structure shall then be removed unless, prior to the end of the period, permission for its retention shall have been obtained.

Reason: To allow for a review of the development having regard to the circumstances then pertaining and in the interest of visual amenity.

3. The following shall be complied with in the development:
 - (a) No music, live performance or other entertainment noise shall be emitted from the permitted marquee,
 - (b) The marquee shall not be connected to the water supply or foul drainage systems and shall not be used for the preparation or serving of food.

Reason: In order to protect the amenities of property in the vicinity.

4. The external cover of the marquee shall be of neutral colour and shall not incorporate any form of advertising. Details shall be submitted for the written agreement of the Planning Authority prior to the first use of the structure.

Reason: In the interests of visual amenity having regard to the visual prominence of the site.

5. The developer shall pay to the planning authority a financial contribution of €891 (eight hundred and ninety one euro) 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. The application of any indexation required by this condition 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.

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: 04/03/2021

Paul Hyde