

An
Bord
Pleanála

Board Direction
BD-008098-21
ABP-309096-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/05/2021.

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 modest nature and extent of the development for which retention permission is sought incorporating cladding to an existing building and the proposed development incorporating boundary works, internal wall, parking and circulation changes at an established industrial use and which would not entail a material intensification of the established use, it is considered that, subject to compliance with the conditions set out below, the development for which retention permission is sought and the proposed development would not seriously injure the amenity of areas including residential property in the vicinity, would not seriously injure the visual amenities of the area and would otherwise 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 as lodged with the application except as may be required in order to comply with the following conditions. Where such conditions require details in writing with the planning authority prior to the 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. The disposal of surface water shall comply with the requirements of the planning authority.

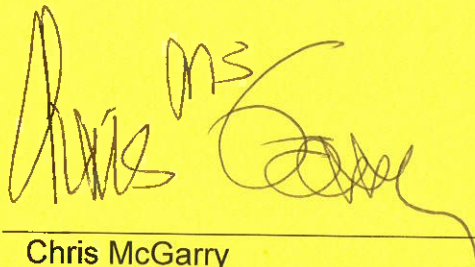
Reason: In the interest of water quality.

3. 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 planning 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.

Note: the Board noted the recommended condition as drafted by the Inspector, limiting the duration of the permission to a period of three years, after which the shed was to be removed unless a further permission was granted. In this regard the Board noted that the development for which retention permission is sought relates to elements of the fabric of an existing shed and the use of the shed itself therefore does not fall within the parameters of the current application and appeal. On this basis, the Board determined that such a condition was not relevant to the current case.

Board Member



Chris McGarry

Date: 07/05/2021

