



An
Bord
Pleanála

Board Direction
BD-008463-21
ABP-309435-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/06/2021.

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 location of the site within the town centre of Crossmolina and the historic use of the building for retail and residential, it is considered that the retention of the café use, along with permission for signage and awning would, subject to the conditions set out below, not seriously injure the residential amenities of adjoining properties and would otherwise be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out 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 conditions require details to be agreed with the planning authority the developer shall agree such details within two months of the date of this order and the development shall be carried out and completed in accordance with agreed particulars.

Reason: In the interest of clarity.

2. The change of use hereby permitted for retention shall only relate to the ground and first floor only.

Reason: In the interest of clarity.

3. No advertising or advertising 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 outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. The café and take way facility shall not be operated between 23.00 and 0800 on any day.

Reason: In the interest of the amenities of property in the vicinity.

5. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority within 3 months of the date of this order. This scheme shall include the provision of litter bins and revised refuse storage facilities.

Reason: In the interest of visual amenity.

6. The developer shall control odour emissions from the premises in accordance to measures which shall be submitted to and agreed in writing with, the planning authority within 3 months of the date of this order.

Reason: In the interest of public health and to protect the amenities of the area.

7. 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

within 3 months of the date of this Order 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: 08/06/2021

Terry Prendergast

