



An
Bord
Pleanála

Board Direction
BD-008786-21
ABP-309578-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/07/2021.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out on the attached copy of the Inspector's report that the planning authority be directed, as follows:

(a) Attach Condition No. 1 (a).

(b) Amend Condition 2(a) and (b).

2. Details of the external shopfronts and 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.

(c) Remove Condition 7(a) and (b)

(d) Remove Condition 10(a)

(e) Amend Condition 10(b)

10. Prior to the commencement of development the developer shall submit to, and agree in writing with, the planning authority, a floor plan for Unit A (café use) and full details of all extractor fans, vents, ducting etc. If any of these services are to be located to the front façade, the developer shall clarify why these services cannot be provided to another façade or otherwise be located away from the front façade.

Reason: In the interest of visual amenities and the proper planning and sustainable development of the area.

Reasons and Considerations

(a) Attach Condition No. 1 (a).

The condition reflects the planning application as applied for in terms of the use of Unit A as a café.

(b) Amend Condition 2(a) and (b).

2. Details of the external shopfronts and 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.

(c) Remove Condition 7(a) and (b)

Having regard to the specific nature of the application i.e. permission to subdivide the property into two units, alter the shopfronts, relocate the door on the side elevation and change the use of proposed Unit A to café, Condition 7(a) is outside the scope of the application as specifically applied for. In relation to Condition 7(b), use of the upper floors is not necessary for the operation of Unit B and restricting exempted development uses would unduly restrict the development potential of the upper floors.

(d) Remove Condition 10(a)

The condition is open to interpretation and could be construed as restricting the ability of the café to sell some takeaway food as part of its normal operation.

(e) Amend Condition 10(b)

10. Prior to the commencement of development the developer shall submit to and agree in writing with the planning authority, a floor plan for Unit A (café use) and full details of all extractor fans, vents, ducting etc. If any of these services are to be located to the front façade, the developer shall clarify why these services cannot be provided to another façade or otherwise be located away from the front façade.

Reason: In the interest of visual amenities and the proper planning and sustainable development of the area.

Board Member:



Maria FitzGerald

Date: 23/07/2021

