

**An
Bord
Pleanála**

**Board Direction
BD-009137-21
ABP-309882-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/09/2021.

The Board decided to make a split decision, to

- (1) refuse permission for the removal of Condition no. 8 of planning permission reference no. 04/40009, the retention of elevational changes to Glencarn Shopping Centre, the retention of existing external signage and ancillary site development works

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

- (2) grant permission (subject to conditions) for the retention of external steel gantry servicing existing plant room, the retention of air conditioning units, and ancillary site development works

for the reasons and considerations marked (2) under.

Reasons and Considerations

Reasons and Considerations (1)

1. Having regard to the development which has been carried out pursuant to the grant of planning permission reference no. 04/40009, the appropriate period of which has expired, it is considered that it would not be appropriate to remove Condition No. 8 of that permission in circumstances where compliance with the requirements of that Condition was required prior to the commencement of development. Furthermore, based on the information provided in connection with the planning application and appeal, it appears to the Board that the applicant's main justification for the removal of the Condition relates to the provision of car parking in the vicinity of the site in lieu of the financial contribution imposed under this Condition. The existing car parking referred to by the applicant does not have the benefit of planning permission and lies outside the boundary of the site which is the subject of this application.

The removal of Condition No. 8 would, therefore, be contrary to proper planning and sustainable development of the area.

2. The proposed development seeks permission for retention of elevational changes and signage at Glencarn Shopping Centre. These include changes to door and window openings where no corresponding internal layouts have been provided. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.

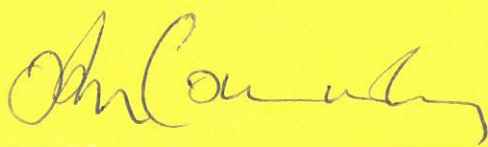
Reasons and Considerations (2)

Having regard to the established commercial use of the site and the zoning objective *"To provide, protect and enhance town centre facilities and promote town centre strengthening"* within the Monaghan County Development Plan 2019-2025 and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not

seriously injure the visual or residential amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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| 1. | The development shall be retained in accordance with the plans and particulars lodged with the application. Reason: In the interest of clarity. |
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Board Member:  Date: 23/09/2021

John Connolly