

An
Bord
Pleanála

Board Direction
BD-009131-21
ABP-310295-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/09/2021.

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 below, that the planning authority be directed, as follows:

Remove Conditions 18 and 19.

Amend Condition 4 as follows:

4. The proposed development shall not be open to the public outside the hours 0800 to 2200 Monday to Saturday inclusive, nor outside the hours of 0900 to 2100 on Sundays or public holidays. Deliveries shall not take place before the hour of 0700, from Monday to Saturday inclusive, nor before the hour of 0800 on Sundays and public holidays, nor after 2200 on any day.

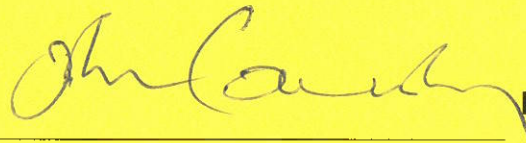
Reason: In the interest of residential amenity.

Reasons and Considerations

Having regard to Retail Planning Guidelines, and to the planning history of the site, it is considered that the requested amendment of Condition 4 would be compatible with the residential amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the provisions of the Planning and Development Act, 2000 - 2021, and the Development Management Guidelines, it is considered that Conditions 18 and 19 fail to meet the criteria for valid planning conditions.

Board Member:



Date: 22/09/2021

John Connolly