

**An  
Bord  
Pleanála**

**Board Direction  
BD-012274-23  
ABP-312672-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/05/2023.

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 provisions of the Carlow County Development Plan 2022-2028, to the location of the site on lands zoned Town Centre within a designated Architectural Conservation Area and to the nature, form, scale and design of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the conservation, residential or visual amenities of the area and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

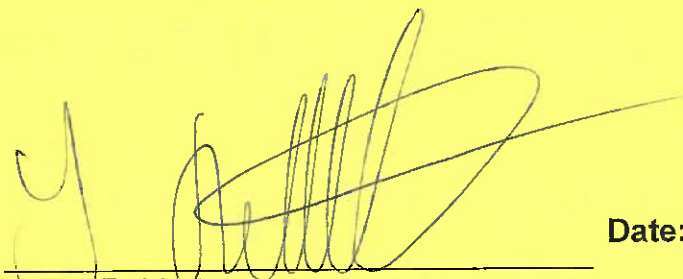
1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 30 <sup>th</sup> day April 2021 as amended by the further plans and particulars submitted on the 4 <sup>th</sup> day
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	<p>November 2021 and 9<sup>th</sup> day December 2021 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>This grant of permission provides for the retention of 1 no. retail unit on the ground floor level, 2 no. apartment units on the first floor level (as indicated in the plans and particulars received by the planning authority on the 4<sup>th</sup> day of November 2021) and 1 no. apartment unit on second floor level which shall be provided by the amalgamation of apartment nos. 3 and 4 (as indicated in the plans and particulars received by the planning authority on the 4<sup>th</sup> day of November 2021). The use of the third floor/attic level for residential use, including the extension and balcony at third floor level (as indicated in the plans and particulars received by the planning authority on the 4<sup>th</sup> day of November 2021) shall not be permitted. The basement level shall be used for ancillary storage purposes only. Prior to the commencement of development the applicant shall submit to, and agree in writing with, the planning authority amended plans, sections and elevations at a scale of not less than 1:100 indicating compliance with the requirements of this condition.</p> <p><b>Reason:</b> In the interest of proper planning and sustainable development and in the interests of clarity.</p>
3.	<p>a) Any works to the external elements of the structure including the shopfront, windows and doors, roofs, guttering, downpipes, chimneys and external walls shall be carried out to best conservation practice as outlined in Architectural Heritage Protection – Guidelines for Planning Authorities (2011).</p> <p>b) The applicant shall engage appropriately qualified and competent conservation professionals, as necessary, to specify the works and</p>

	<p>oversee their correct completion on site. A written report confirming same shall be submitted within 3 months of completion.</p> <p>c) The works shall be undertaken by skilled and experienced conservation contractors and specialists with relevant experience of historic materials and techniques.</p> <p>d) The street clock with the inscription "Bramleys Jewellers" on the Dublin Street façade shall be returned to working order and retained in situ unless otherwise agreed with the Planning Authority</p> <p><b>Reason:</b> In the interests of the Architectural Integrity of the Architectural Conservation Area and in the interests of the proper planning and sustainable development of the area</p>
4.	<p>a) Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>b) Prior to commencement of development, the developer shall enter into water and/ wastewater connection agreements with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>The construction of the development shall be managed in accordance with a Site Traffic and Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works.</p> <p><b>Reason:</b> In the interests of amenities, public health and safety</p>
6.	<p>The communal open space area at second floor level shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interests of residential and visual amenity.</p>

7.	<p>Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
8.	<p>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 prior to the 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.</p> <p><b>Reason:</b> 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</p>

Board Member



Tom Rabbette

Date: 26/05/2023