



An
Bord
Pleanála

Board Direction
BD-012912-23
ABP-313431-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/07/2023.

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 Clare County Development Plan 2023 - 2029 and the modest nature and scale of the proposed development, it is considered that, subject to conditions, the proposed development of the site for an ancillary amenity facility in Aistear Park, would be acceptable in principle. It is further considered that subject to conditions, the proposed development would not be unduly visually obtrusive feature and would be acceptable in terms of visual and residential amenities. The proposal 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, 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.

Reason: In the interest of clarity.

- 2 The proposed development shall be modified such that the span of the roof shall not exceed 12m in plan. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

- 3 At least 8 no. bicycle parking spaces shall be provided within the site. Details of the layout and marking demarcation of these spaces shall be submitted to an agreed in writing with the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development in the interest of sustainable transportation.

- 4 Details, including samples of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

- 5 (a) No signage, advertising structures/advertisements, security shutters or other projecting elements, including flagpoles, shall be erected on the pavilion or within the site unless authorised by a further grant of planning permission.
(b) Other than a temporary retractable screen and associated equipment, no other furniture, equipment or large fittings shall be stored overnight in or alongside the pavilion unless authorised by a further grant of planning permission.

Reason: To protect the amenities of the area.

6 The pavilion shall only be used for organised events between the hours of 0900 hours and 2100 hours on Mondays to Thursdays inclusive (excluding public holidays) and only between 0800 hours and 2200 hours on Fridays Saturdays, Sundays and public holidays.

Reason: To protect the amenities of the area.

7 Any illumination associated with the proposed development shall not exceed the hours of 22:00hours and shall at all times be in accordance with an agreed scheme, details (to include levels/intensity, specification, angles, duration, times and dates) of which shall be submitted to and agreed in writing with the planning authority prior to commencement of development on site.

Reason: In the interest of amenity and ecology of the area.

8 All public service cables for the development, including electrical and telecommunications cables shall be located underground throughout the site.

Reason: In the interest of visual amenities of the area.

9 Water supply and drainage arrangements for the site, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Details of this shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interests of the environmental protection

Board Member



Peter Mullan

Date: 14/07/2023

