

An
Bord
Pleanála

Board Direction
BD-015566-24
ABP-316184-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/02/2024.

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:

Amend condition number 3 as follows.

3 *The Applicant shall comply in full with the following:*

- a) *Operating hours shall remain between 7:00am and 6:30pm;*
- b) *The customers opening time shall remain 7:30am to 5:30pm;*
- c) *The business shall not be open to the general public and no materials shall be sold to the general public on site.*

Reason: *To ensure that the development shall be in accordance with this and previous permissions, and that effective control be maintained.*

And,

Amend condition number 4 as follows.

4

- (i) *The use of the development shall be confined to that use granted under Planning Authority permission reference F98A/0166 .*
- (ii) *Any change of use, subdivision or amalgamation, whether or not such change or subdivision would otherwise constitute exempted development, under the Planning and Development Act 2000, as amended, or the Planning*

and Development Regulations 2001, as amended, shall not be undertaken without a prior grant of permission.


Reason: *In the interests of clarity.*

Reasons and Considerations

Having regard to the works proposed and having regard to the permission granted under PA ref. F98A/0166, conditions 3 and 4 (as amended) would be appropriate and in accordance with the proper planning and sustainable development of the area.

[**Note:** In deciding to amend Conditions 3 & 4 the Board noted that the application is for 'Works' only and that no change of use is proposed.]

Board Member:


Stephen Bohan

Date: 27/02/2024