



An
Bord
Pleanála

Board Direction
BD-016317-24
ABP-318053-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/05/2024.

The Board decided to make a split decision, to

(1) grant permission (subject to conditions) for

- A single storey extension to the front of the existing discount retail store to provide a Deposit Return Scheme (DRS) facility to allow customers to return plastic beverage bottles and aluminium cans to a reverse vending machine in store.
- Demolition and repositioning of the existing exit/entrance pod and trolley bay.
- Alteration works to the store elevation and car park area.
- All ancillary works required.

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

Having regard to the nature and scale of the proposed development, existing and proposed facilities for onsite waste management and existing traffic management infrastructure, it is considered that subject to the conditions set out below, the proposed development would be acceptable and would be in accordance with the provisions of the Dublin City Development Plan 2022-2028 and the Climate Action Plan 2024. The proposed development would not negatively impact on residential

amenity or give rise to negative impacts on traffic safety and would, therefore, be in accordance with the proper planning and sustainable development of the area.

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted in response to a Further Information Request on the 25th day of July 2023, 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 free-standing trolley bay to the immediate east of the proposed extension is not permitted, the trolley bay shall either be accommodated within the shop unit or be the subject of a separate planning application.

Reason: To protect the amenity of the public realm

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

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

4. Details of all external shopfronts and signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. 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 and shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of public health.

6. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The

RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interests of sustainable waste management.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste

Reason: In the interests of public safety and residential amenity.

9. Section 49 Luas

10. 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 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.

Reason: 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.

(2) refuse permission for

- Construction of a free-standing trolley bay to the immediate east of the proposed extension.

for the reasons and considerations marked (2) under.

The siting of the proposed trolley bay in the public realm between two buildings, notwithstanding the amendment made at further information stage, detracts from this area due to visual clutter and the reduction in the area of public realm.

In deciding not to accept the Inspector's recommendation to grant the proposed trolley bay the Board considered that to do so would detract greatly from the public realm between the two buildings due to the reduction in the area of public realm and visual clutter.

Board Member:


Mary Henchy

Date: 15/05/2024