



An  
Bord  
Pleanála

**Board Direction**  
**BD-017965-24**  
**ABP-318771-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/10/2024.

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 planning history of the site, and the nature and scale of the proposed development, which comprises minor modifications to an existing / permitted development, the Board is satisfied that, subject to compliance with the conditions set out below, the proposed development would be consistent with the established use of the site and would not adversely impact on the character of the area or the residential or visual amenity of any neighbouring property. 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, as amended by the further plans and particulars received by the planning authority on the 9<sup>th</sup> day of November 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. Details of the proposed roof structure to cover the beer garden shall be agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of orderly development.

3. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission (Planning Authority Reg. Ref. SD20A/0254; ABP Ref. 309067-29) unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

5. Prior to the commencement of development, the developer shall submit proposals which demonstrate how the proposed development will contribute to the protection or enhancement of Green Infrastructure in the county for the written agreement of the Water Services and Public Realm Departments of the planning authority.

**Reason:** To ensure compliance with development management standards in relation to the provision of green infrastructure.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0700 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.

7. 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.

**Board Member**

  
Paul Caprani

**Date:** 24/10/2024