

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Donegal County

Planning Register Reference Number: 15/51590

An Bord Pleanála Reference Number: PL 05E.246273

APPEAL by Darren Melly care of Harley Newman Planning Consultants of Bohullion, Burt, County Donegal against the decision made on the 25th day of February, 2016 by Donegal County Council to grant subject to conditions a permission to KLH Trading Limited care of Brannigan Associates of The Gate House, Station Road, Glenties, County Donegal in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of part of an existing public bar and part of an adjoining nightclub premises to a retail unit including an off licence in the townland of Gortnamucklagh, Main Street, Glenties, County Donegal.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

It is considered that, subject to compliance with the conditions set out below, the development as proposed, would contribute to the vitality and viability of the town of Glenties by supporting the mixed use function of the town centre, would not cause traffic congestion or would not endanger public safety by reason of traffic hazard, would be in accordance with the provisions of the Donegal County Development Plan 2012-2018 and 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 submitted on the 4th day of February 2016, 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 change of use hereby permitted shall be to a retail unit and off-licence only.

Reason: In the interest of clarity.

3. 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.

Reason: In the interest of public health.

4. Any damage to the public road, including footpath, occurring during construction, shall be made good to the satisfaction of the planning authority. In this regard, a photographic survey of the public footpath along the site frontage, shall be submitted to the planning authority prior to the commencement of development.

Reason: To protect public infrastructure.

5. Prior to the commencement of the development, the developer shall submit proposals for a name sign and for any other signage intended to be erected on the front of the premises and shall agree this in writing with the planning authority. Proposals shall include use of the Irish language at least on an equal basis in terms of the area, size and prominence of signs, provided in other languages, or the use of Irish only signs. No roller shutter shall be erected on the exterior of the building.

Reason: To protect the culture and language of this Gaeltacht area and in the interest of visual amenity.

6. No advertisement or advertisement structure (other than signage agreed under condition number 5 above) shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.