

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Carlow County**

**Planning Register Reference Number: 15/320**

An Bord Pleanála Reference Number: PL 01.246488

**APPEAL** by Trevor Gillespie care of Peter Thomson Planning Solutions of Suite 1, Burchall House, Parnell Street, Waterford and by Corajio trading as Mr. Price of 1 Airton Road, Tallaght, Dublin against the decision made on the 30<sup>th</sup> day of March, 2016 by Carlow County Council to grant subject to conditions a permission to Jaroslaw Dziewa care of Patrick Butler of Kilmaglin, Fenagh, County Carlow in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Change of use from an underground private car park to a proposed car valet centre, minor alterations, proposed external signage and all ancillary site works, all at Hanover Court Car Park, Kennedy Avenue, Carlow.

## **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

Having regard to the limited nature and scale of the proposed development, the zoning provisions of the current Carlow Town Development Plan and to the central and accessible location of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not constitute a traffic hazard and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development having regard to its limited increase in traffic movements and subject to compliance with the conditions set out below, would not constitute a traffic hazard.

## 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 29<sup>th</sup> day of January, 2016 and the 4<sup>th</sup> day of March, 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 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 interest of public safety and residential amenity.

3. No vehicle being valeted on the site or the vehicle of any employee shall block the free-flow of traffic through the private car park immediately outside the property. All vehicles being valeted shall be parked within the holding bays, as set out on the site layout plan submitted to the planning authority on the 27<sup>th</sup> day of October, 2015 with the application. Access for emergency vehicles shall comply with the requirements of the planning authority.

**Reason:** In the interest of orderly development and traffic safety.

4. 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.

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

**Dated this                      day of                      2016.**