

Board Order PL 21.248085

Planning and Development Acts 2000 to 2017

Planning Authority: Sligo County

Planning Register Reference Number: 16/316

Appeal by Mohamadullah Mukaray care of Vincent Hannon Architects of Abbey Street, Sligo against the decision made on the 30th day of January, 2017 by Sligo County Council to refuse permission.

Proposed Development: Change of use from retail to takeaway restaurant (area 87.5 square metres) together with signage and all associated site works at the existing retail unit 03, Block 3, The Mill Centre, Coolaney, County Sligo.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

The Board had regard to the nature of the proposed change of use from retail to a take-away restaurant, in close proximity to residential dwellings. The Board considered that the proposed development and its associated activities would seriously injure the amenities of residential properties in the vicinity by reason of unacceptable noise, odour, and general disturbance and would, therefore, not be in accordance with the policy P-NC-1 of the Sligo County Development Plan 2011-2017 which seeks to protect the amenity of dwellings, businesses, community facilities and other existing developments when assessing proposals for development that is likely to generate significant levels of noise. The proposed development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the protection of the residential and visual amenities of the area was particularly important and that the proposed change of use and associated signage would detract from the overall quality of this mixed use scheme.

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

Dated this day of 2017