



An
Bord
Pleanála

Board Order
PL 09.249085

Planning and Development Acts 2000 to 2017

Planning Authority: Kildare County Council

Planning Register Reference Number: 17/702

Appeal by Maureen Creaton of 93 Langton Park, Newbridge, County Kildare against the decision made on the 9th day of August, 2017 by Kildare County Council to grant subject to conditions permission to BOD Vehicle Support Services trading as Naas Nissan care of Hanley Taite Design Partnership of Virginia Shopping Centre, Virginia, County Cavan in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Retention of sub-division and change of use of part of existing car park from previous use as storage of motor vehicles to use as a mobilized and an immobilized vehicle storage facility, (b) re-locate existing palisade security fencing, (c) carry out all associated site works, (d) a waste facility permit application relating to the site will be submitted separately to Kildare County Council, all at Newhall (E.D. Ladytown), Naas, County Kildare.

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 nature and extent of the development for which retention permission and permission is sought, the existing uses and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed for retention would not seriously injure the amenities of the area and would be acceptable in terms of traffic safety. The development for which retention permission and permission is sought would, therefore, be in accordance with the proper planning and sustainable development of the area

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

Reason: In the interest of residential amenity.

3. (a) A scheme indicating boundary treatments shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order. This boundary treatment scheme shall provide a screen along the boundary with the R445 and Due Way, consisting predominantly of trees, shrubs and hedging. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season.
- (b) Any plants which die or become seriously damaged or diseased, within a period of five years from the grant of permission, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development, in the interest of visual amenity.

4. All storage of vehicles shall take place within the perimeter of the site and within the designated individual parking spaces. There shall be no stacking of vehicles on site.

Reason: In the interests of traffic safety and the visual amenities of the area.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

