



An
Bord
Pleanála

**Board Order
PL 25M.249120**

Planning and Development Acts 2000 to 2017

Planning Authority: Westmeath County Council

Planning Register Reference Number: 17/7110

Appeal by Diskin Enterprises care of Brendan McGettigan and Associates Limited of 2 Garden Vale, Athlone, County Westmeath against the decision made on the 14th day of August, 2017 by Westmeath County Council to refuse permission for the proposed development.

Proposed Development: Change of use of ground floor of Unit 4(a) from retail warehouse use to office use together with internal associated alterations, additional toilets plus minor alterations to existing site layout to include additional car park spaces, new entrance security gates and all necessary ancillary site works at Golden Island Retail Park, Carrick O'Brien Road, Golden Island, Athlone, County Westmeath.

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 mixed use zoning of the site as set out in the current Development Plan for the area, to the planning history of the wider retail warehouse park and to the nature, scale and location of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact upon the vitality and viability of the town centre, would not seriously injure the visual amenities of the area and would be acceptable in terms of pedestrian and traffic safety. 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, 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 ground floor of Unit 4(a) shall be limited to use for office purposes as defined in Class 3 of Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

Reason: In order to delimit the extent and nature of the office use permitted in this instance, in the interest of protecting the viability and vitality of the established office facilities within Athlone town centre.

3. (a) Details of all signage relating to the proposed office use shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Apart from the signage agreed under condition number 3 (a) of this permission, and notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area, and to allow the planning authority to assess any such further signage or advertisements through the statutory planning process.

4. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 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.

