

An
Bord
Pleanála

Board Order
ABP-314641-22

Planning and Development Acts 2000 to 2022

Planning Authority: Offaly County Council

Planning Register Reference Number: 22/245

Appeal by Luigi Macari care of Jason P. Mooney Energy and Planning Consultants of Ballyteague, Kilmeague, Naas, County Kildare and by Johanna Macari care of Jason P. Mooney Energy and Planning Consultants of Ballyteague, Kilmeague, Naas, County Kildare against the decision made on the 22nd day of August, 2022 by Offaly County Council to grant subject to conditions a permission to Pauric Groome care of Infinite Focus Consulting Engineers of 10 Fr. McWey Street, Edenderry, County Offaly in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from a butchers to a pizza and fast food takeaway and all associated site works at 39 JKL Street, Edenderry, County Offaly.

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.

Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed change of use of the former butcher's shop, currently an unoccupied premises in the centre of the town of Edenderry, would be in accordance with the policies for the area, as set out in the Offaly County Development Plan 2021-2027 and the Edenderry Local Area Plan 2017-2023, would not be within a 200-metre radius of an educational establishment or a park, would not contribute to a proliferation of takeaway uses in the town centre, would not detract from the amenities of the area, would make a positive contribution to the vitality of the area, in particular to night-time activities, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 28th day of July, 2022, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

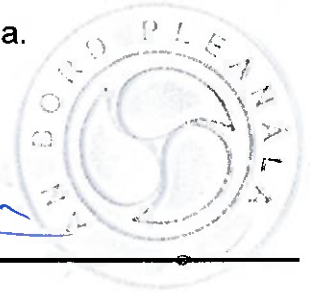
2. The takeaway facility shall not be operated between 2400 hours and 0800 hours on any day.

Reason: In the interest of the residential amenities of property in the vicinity.

3. The proposed shopfront shall be carried out in accordance with the following requirements:
 - (a) Signs shall be restricted to a single fascia sign using sign writing or comprising wither hand-painted lettering or individually mounted lettering, without internal illumination (backlighting or halo type lighting is permitted) and lighting shall be by means of rear illumination.
 - (b) The erection of any external roller shutters shall not be part of the development hereby permitted.

- (c) No display of goods or advertising or storage of goods shall take place outside the premises.
- (d) No adhesive material shall be affixed to the windows of the shopfront.
- (e) The entire shopfront shall be of timber construction.
- (f) The proposed lighting in the shopfront cornice shall be omitted.

Reason: In the interest of the visual amenities of the area.



Liam Bergin

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 03rd day of November 2023.