



An
Bord
Pleanála

Board Order ABP-318839-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/60222

Appeal by Claire O'Neill care of O'Neill O'Reilly and Associates of Carricknabrick House, Loughduff, County Cavan against the decision made on the 13th day of December, 2023 by Kildare County Council to grant subject to conditions a permission to Metropolitan Taverns Limited care of DH Architectural of Clownings, Newbridge, County Kildare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of five number single storey storage units to service existing shopping centre retail units and all associated site development and facilitating works, all at River Forest Shopping Centre, Captain's Hill, Leixlip, 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.

Reasons and Considerations

Having regard to the nature, extent and location of the proposed development, to the policies and objectives, as set out in the current Development Plan for the area, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would be acceptable in terms of traffic safety, 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 30th day of November, 2023, 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 use of the storage units shall be strictly for storage in association with the use of the retail or commercial units or the hotel to the north and shall not be for any other use, including residential use.

Reason: In the interest of clarity.



3. There shall be no access to the storage units between the hours of 2200 and 0700.

Reason: In the interest of clarity and to protect the amenities of nearby residential properties.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. 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 the 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 the Board 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.



The image shows a handwritten signature in blue ink, which appears to read 'Mick Long', written over a circular official stamp. The stamp contains the text 'AN BORD PLEANÁLA' around the perimeter and a stylized logo in the center. A horizontal line is drawn across the page just below the signature.

Mick Long

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 28th day of June 2024.