



An
Bord
Pleanála

Board Order ABP-319410-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/60473

Appeal by Siobhan and Mary Caulfield of 1551 Páirc Mhuire, Newbridge, County Kildare against the decision made on the 1st day of March, 2024 by Kildare County Council to grant subject to conditions a permission to MU Partnership care of Whyte Planning Consultants Limited of Great Connell, Newbridge, County Kildare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of existing single storey retail unit for mixed-use development as a coffee shop with take-away facility, sit-down restaurant with take-away facility, new front door and front façade arrangement, external retractable canopy and external seating area (on private lands) with removable wind screens and all associated site works, all at Edward Street, Newbridge, 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 of the proposed development, the location of the site within a Core Retail Area, and the provisions of the Kildare County Development Plan 2023-2029, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity, 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 12th day of February, 2024, 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. Prior to commencement of development, the developer shall submit details and plans in relation to the proposed signage and canopy to the planning authority for written agreement.

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

3. The proposed outdoor seating area shall be limited in depth to 2.5 metres from the shop front.

Reason: To facilitate the future use and upgrade of footpaths along Edward Street.

4. A Resource Waste Management Plan, including the location of bins, for the operation of the premises shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of public health and the proper planning and sustainable development of the area.

5. The attenuation and disposal of surface water, foul sewage, trade effluent and soiled water shall be in accordance with the requirements of the planning authority.

Reason: In the interest of public health.

6. No signage, advertisement or advertisement structure other than those shown on the drawings submitted with the application shall be erected or displayed on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

7. Noise from the operation of the premises shall not exceed the following limits:

(i) 55 dB(A) between the hours of 0800 and 1800 Mondays to Saturdays inclusive (excluding bank holidays), or

(ii) 45 dB(A) at any other time.

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

8. The coffee shop/restaurant shall not operate outside the hours of 0700 to 2300 without the prior written agreement of the planning authority.

Reason: In the interest of residential amenity and proper planning and sustainable development.

9. The management of fats, oils and greases arising during operational activities shall be in accordance with the requirements of Uisce Éireann. A Section 16 Licence shall be obtained from Uisce Éireann.

Reason: In the interest of public health, to avoid pollution, and to ensure proper development.



Mick Long

Member of An Bord Pleanála

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

Dated this 13th day of November 2024.