

An
Bord
Pleanála

Board Order
ABP-322188-25

Planning and Development Acts 2000 to 2022

Planning Authority: Longford County Council

Planning Register Reference Number: 2460311

Application for Leave to Appeal against the decision of the planning authority by Raja Imran care of Andrew Hersey Planning of 3 Atlantic View, West End, Kilkee, County Clare having an interest in land adjoining the land in respect of which Longford County Council decided on the 6th day of March 2025 to grant, subject to conditions, a permission to Pascal Masterson care of Cunningham Design and Planning Limited Consulting Engineers of Block C, N4 Axis Centre, County Longford.

Proposed Development: Proposed change of use of existing ground floor level retail unit into a take-away/pizzeria and all ancillary works, Main Street, Granard, County Longford.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

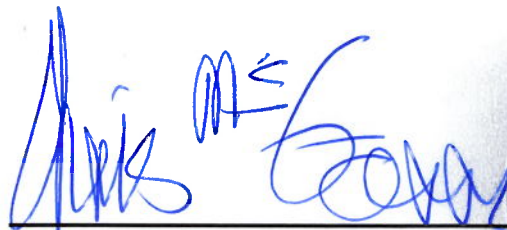
It is considered that it has not been shown that the development in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

Specifically, the Board noted the reference to condition number 5 and condition number 4 (part) by the applicant for leave to appeal.

Condition number 5 merely sets operational hours for the permitted take-away. This is a common condition on such applications and does not result in a material difference from the application as lodged. Condition number 4 (part) relates to signage. Again, this is a common condition and does not result in a material difference from the application as lodged.

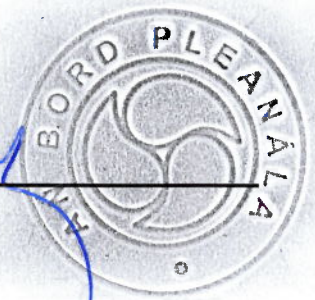
Even if any such material difference could be argued (which is not the determination of the Board on foot of the totality of the documentation on file), no material affect on the applicant for leave to appeal's enjoyment of land or a reduction in the value of land arises. In this regard, the Board noted that the applicant for leave to appeal confirmed that he operates a similar land use (takeaway) on the far side of the public road from the application site, with opening hours comparable to those applicable to the permitted development, with established signage displayed on the premises from which he operates and utilising the shared on-street public parking resource along


Granard Main Street, which is available to any and all members of the public. No rational argument therefore can be sustained that the permitted development (which is consistent with the town centre location) would result, by way of any condition attaching, in a material affect (within the meaning of Section 37(6) of the Planning and Development Act 2000, as amended) on the premises currently operated as a takeaway, by the applicant for leave to appeal.



Chris McGarry

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this  day of  2025.