



## Board Direction

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**Ref: PL06D.244150**

The submissions on this file and the Inspector's report were considered at a Board meeting held on April 16<sup>th</sup> 2015.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, subject to the amendments shown in the reasons, considerations and conditions set out below.

### **Reasons and Considerations**

The proposed development is located on lands zoned for neighbourhood uses in the Dun Laoghaire-Rathdown County Council Development Plan 2010-2016 where discount food stores are permitted in principle. Having regard to the zoning objective for the site, to the patterns of residential and retail/commercial development in the area, to the availability of public transport close to the site and subject to compliance with the conditions set out below it is considered that the proposed development will not negatively impact on the retail function of other retail centres, will not injure the residential amenity or visual amenity of the area or give rise to traffic congestion and will otherwise accord with the County Development Plan and with the proper planning and sustainable development of the area.

Having regard to the nature and scale of the proposed development on an existing urban site The Board concluded that no Appropriate Assessment issues arise

The Board was satisfied that there was no requirement for an Environmental Impact Assessment in this case.

## Conditions

1. The 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 submitted on 30<sup>th</sup> day of September 2014, 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 proposed free standing sign shown on drawing number PA0013 submitted to the planning authority on the 4<sup>th</sup> April 2014 shall be omitted from the proposed development.

**Reason:** In the interests of visual amenity.

3. a) Car parking space number 10 shown as 'potential future pedestrian connection to adjoining lands' on drawing PA 0010 submitted to the planning authority on the 30<sup>th</sup> September 2014 shall be reserved for future connection to adjoining lands.

b) 3 no disabled car spaces shall be swapped with 3 no mother and child spaces. The details of same shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interests of pedestrian permeability and orderly development.

4. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no 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.

5. Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising, unless authorised by a further grant of planning permission.

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

6. All service cables associated with the proposed development shall be located underground.

**Reason:** In the interests of visual and residential amenity.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

8. Footpath along Pearse Street shall be dished in accordance with the requirements of the planning authority. Details of the locations and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of pedestrian safety.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and traffic management measures.

**Reason:** In the interests of public safety and residential amenity

10. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

11 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. 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 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.

Board Member: \_\_\_\_\_ Date: 16.04.15  
Paul Hyde