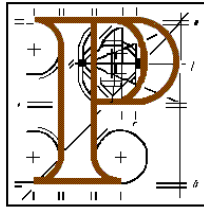


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Monaghan County

Planning Register Reference Number: 15/45

An Bord Pleanála Reference Number: PL 18.245303

APPEAL by N. Donnelly care of Stephen Ward Town Planning and Developments Consultants Limited of Jocelyn House, Jocelyn Street, Dundalk, County Louth against the decision made on the 14th day of July, 2015 by Monaghan County Council to grant subject to conditions a permission to Padraig and Catriona Lonergan care of Kenneth D. Lonergan and Associates Limited of Shercock Road, Carrickmacross, County Monaghan in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of dwelling house to funeral home with extended porch and elevation changes to include shop front and signage and ancillary site works at property known as Maryville located between Shirley Arms Hotel and The Courthouse, Main Street, Carrickmacross, County Monaghan.

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.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, which would provide a service to the local community, to its town centre location, and to the town centre land use zoning objective for the site as set out in the Carrickmacross Town Development Plan 2013-2019, 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 or of property in the vicinity, would not adversely affect the character or integrity of the designated Architectural Conservation Area, would not detract from the setting of adjacent protected structures, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 the 17th day of June, 2015, 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 funeral home shall not operate outside the hours of 08.00 to 22:30.

Reason: In the interests of orderly development and of the amenities of the area.

3. The use of the basement area associated with the existing structure shall be limited to uses ancillary to the main use as a funeral home, and shall not be used for any other purpose, unless authorised by a prior grant of planning permission.

Reason: In the interest of clarity, and to allow the assessment of any future use of the basement in the context of the use hereby permitted.

4. Prior to the commencement of development, a plan shall be submitted to, and agreed in writing with, the planning authority, indicating how it is proposed to control vehicular and pedestrian traffic associated with the funeral home, particularly during removals, to ensure that pedestrian access to the building and traffic access to the adjoining car park are marshalled in a controlled and safe manner.

Reason: In the interest of traffic and pedestrian safety and convenience.

5. Details of the proposed on-site staff parking area shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of traffic safety and convenience.

6. Details, including samples, of the proposed frontage design shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Only high quality materials shall be used.

Reason: In the interest of the visual amenity of this sensitive town centre area in close proximity to protected structures and within an Architectural Conservation Area.

7. No advertisement, advertising structures, flags, symbols, emblems, logos or other advertising devices shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from the outside of the building, unless authorised by a prior grant of planning permission.

Reason: In the interest of the visual amenity of this sensitive town centre area in close proximity to protected structures and within an Architectural Conservation Area.

8. Water supply and drainage arrangements, including the attenuation and 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.

9. 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 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 An Bord Pleanála 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.

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

Dated this day of 2015.