



Planning and Development Acts 2000 to 2019

Planning Authority: Longford County Council

Planning Register Reference Number: 20/1

Appeal by James Mulhern of Crockawn, Ballymacormack, County Longford against the decision made on the 20th day of February, 2020 by Longford County Council to grant subject to conditions a permission to Gerry Kennedy Furniture Limited care of Cunningham Design and Planning Limited of Block C, N4 Axis Centre, Longford, County Longford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of existing newly constructed extension that services existing furniture processing building and all ancillary site works at Kilmoyle, Killoe, County Longford.

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 policies of the Longford County Development Plan 2015-2021, which support the diversification of the rural economy, the longstanding nature of the existing development on the subject site and the location, nature, scale and form of the extension to be retained, it is considered that the proposed development, subject to compliance with the conditions set out below, would not detract from the landscape character or the amenity of property in the vicinity of the site 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 retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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. Within three months of the date of this Order, details of the location of the soak pit and arrangements for the management of surface water on site, shall be submitted to the planning authority for written agreement.

Reason: To prevent water pollution.

3. Within three months of the date of this Order, details of the external finishes to the proposed extension shall be submitted to, and agreed in writing with, the planning authority. The external finishes of the proposed extension shall match the existing development in respect of colour and texture.

Reason: In the interest of visual amenity.

4. (a) At all times, the proposed development shall be operated so that noise levels at one metre from the façade of noise sensitive locations do not exceed 55 dB (A) Lar, T between 0900 hours and 1800 hours Monday to Friday inclusive and 0900 hours and 1400 hours Saturdays.
- (b) Adequate noise control measures shall be undertaken so that sound pressure levels generated by the development when measured at any dwelling in the vicinity of the site shall not exceed limits outlined in the preceding paragraph.

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

5. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

6. 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 within three months of the date of this Order 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.

Terry Ó Niadh
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.