



An  
Bord  
Pleanála

**Board Direction**  
**PL06F.248075**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 28<sup>th</sup> June 2017.

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

### **Reasons and Considerations**

Having regard to the local centre zoning of the site in the Fingal County Development Plan 2017-2023, the established retail use of the site and to the existing pattern of development in the vicinity, it is considered that subject to compliance with the conditions below, the proposed development would not be out of character with development within the area and would not seriously injure the residential amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 6th day of January 2017 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. All other conditions of previous permissions shall apply, save where modified by the following conditions.

**Reason:** In the interest of clarity.

2. The supermarket opening times shall only be between 09:00 to 22:00 hours Monday to Saturday inclusive (excluding public holidays) and only between 09:00 to 21:00 hours on Sundays and public holidays.

**Reason:** In the interest of clarity and in order to protect the residential amenities of the area.

3. i) Within four weeks from the final grant of planning permission the applicants shall:
  - a. install fridge compressor noise jacket/s,
  - b. change the pallet truck wheels from hard to soft pneumatic type wheels,
  - c. the alarm from reversing trucks shall be replaced with a Flag man and appropriate signage

Unless otherwise agreed in writing with the Planning Authority.

ii) Within four weeks from the final grant of planning permission the applicants shall submit for the written agreement of the Planning Authority details of a sound absorptive barrier or roofed enclosure around the loading area and a date for installation.

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

4. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-
  - (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.

- (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

**NOTE:** In deciding to include Condition no. 3 of the Planning Authority's decision, the Board were satisfied that the measures required by the condition were relevant and necessary and also noted that the condition was not appealed by the First Party.

**Board Member**

**Date:** 28<sup>th</sup> June, 2017

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Conall Boland