



An  
Bord  
Pleanála

**Board Direction**  
**BD-003229-19**  
**ABP-303625-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 6/6/2019.

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

### **Reasons and Considerations**

Having regard to the planning history and the current permitted use on the site, the nature and scale of the proposed works, and the policies and objectives in the Drogheda Borough Council Development Plan 2011-2017, the urban location of the site and the pattern of development in the vicinity it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenity of the area or of property in the vicinity and would be generally acceptable in terms of pedestrian and traffic safety. 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, 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. A 2m high louvered acoustic screen shall be erected to the inside face of the existing 1.5m high boundary wall along the northern boundary as indicated on Drwg no REV-ABP07 as submitted to An Bord Pleanála on the 6<sup>th</sup> day of March 2019. This shall be done within 3 months of the date of this order.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 25<sup>th</sup> of July 2016 under planning register reference number 16298, and any agreements entered into thereunder.

Within 6 months of this grant of permission the warehouse along the east/rear of the site shall be removed and the car parking layout illustrated in the above permission and the proposed development shall be implemented in full.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

4. The multi-use building, and all activities occurring therein, shall only operate between 0800 hours and 2200 hours, Monday to Sunday. No deliveries shall take place outside these hours.

**Reason:** In order to protect the residential amenities of property in the vicinity

5. The floodlights or any equivalent replacement floodlights shall consist of those lights detailed in DRWG REV-ABP-02 and accompanying specification as submitted to An Bord Pleanála on the 6<sup>th</sup> day of March 2019. The floodlights shall be directed onto the surface of the car park and way from adjacent housing. The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses. The operational hours of the floodlighting shall not extend beyond 22:00 hours with automatic cut-off of floodlighting at that time.

**Reason:** In the interest of residential amenity and traffic safety

6. All existing advertising signs on the premises, other than the existing fascia signs on the pharmacy, GP surgery and a single fascia sign on the butcher's shop (but not projecting signs) shall be permanently removed with 3 months of the date of this order.

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

7. Other than the signs referred to in Condition 6 and 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 buildings 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

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to

1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity

9. The noise level shall not exceed 55 dB(A) rated sound level (that is, corrected sound level for a tonal or impulsive component) at the nearest noise sensitive location between 0800 and 2000 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

10. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

11. 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.

**Board Member**

**Date:** 06/06/2019

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Maria FitzGerald