



An
Bord
Pleanála

Board Direction
BD-015127-24
ABP-315389-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/01/2024.

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 location, nature, scale and design of the proposed development,
- the provisions of the Louth County Development Plan 2021-2027 and,
- the specific characteristics of the site and surrounds,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, is acceptable in terms of the traffic safety and convenience of pedestrians and road users and 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 on the 25th August 2022 and as amended by further plans and particulars received on the 4th November 2022, 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. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Materials, colours and textures of all external finishes shall be in accordance with the submitted drawings and specifications. Any amendments shall require the prior written approval of the planning authority.

Reason: in the interest of visual amenity.

3. The hours of operation of the development shall be:

Monday – Wednesday: 08.00 to 19.00

Thursday & Friday: 08.00 to 20.30

Saturday: 08.00 to 19.00

Sunday: 09.00 to 19.00

Any changes to these specified times shall require the prior written agreement of the planning authority.

Reason: in the interest of orderly development.

4. Apart from the signage permitted in this permission, no advertising signs, or devices shall be erected outside the premises without a prior grant of permission. No display of goods or materials or advertising boards shall take place on the adjoining footpaths.

Reason: In order to prevent advertising clutter and in the interest of visual amenity.

5. The developer shall retain the services of a suitably qualified landscape architect throughout the life of the site development works. The approved hard and soft landscaping scheme (as submitted on the 4th November 2022) shall be implemented fully in the first planting season following the commencement of the development. Any plant materials that die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: In the interest of residential and visual amenities.

6. Prior to the commencement of development, the developer shall submit a final Construction Management Plan for the written agreement of the planning authority.
Reason: To ensure the development is carried out and completed to an acceptable construction standard.
7. The development shall comply with the following requirements of the planning authority:
- (a) The height restriction barrier shall have an opening mechanism to allow for servicing of the site by box fans etc.
 - (b) Drop kerbs and tactile paving slabs at pedestrian crossing points shall be provided in accordance with traffic management guidelines published by the Department of Transport.
 - (c) Signing and lining shall be in accordance with the traffic signs manual published by the Department of Transport.
 - (d) The developer shall be responsible for the full cost of repair and respect of any damage caused to the adjoining public road/footpath arising from the construction work and shall either make good any such damage to the satisfaction of Louth County Council or pay to the council the cost of making good any such damage on a demand thereof issued by the Council.
 - (e) All necessary measures, as may be determined by the planning authority, shall be taken by the developer to prevent the spillage or deposit of clay, rubble or other debris on adjoining public roads or footpaths during the course of the development works. The developer shall ensure that all vehicles leaving the development are free from any material that would be likely to deposit on the road and in the event of any such deposition, immediate steps shall be taken to remove the material from road surface. The developer shall be responsible for the full cost of carrying out the road/footpath cleaning work.
Reason: In the interest of traffic safety.
8. 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.

9. Prior to the commencement of development, the developer shall enter into water and waste-water connection agreement(s) with Uisce Eireann.

Reason: In the interest of public health.

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual amenity.

11. Site development and building works shall be carried out only between the hours of 0700 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.

12. 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 or 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.

Board Member

S. Logan

Stewart Logan

Date: 19/01/2024