



An  
Bord  
Pleanála

**Board Direction**  
**BD-016522-24**  
**ABP-318216-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/06/2024.

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 policies and objectives of the Louth County Development Plan 2021-2027, National, Local and Regional retail planning policy, the modest size of the proposal and its location within a residential area, the Board consider that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would not create a traffic hazard and would constitute an acceptable form of development at this location. 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
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	<p>shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The subject development shall be amended as follows:</p> <ul style="list-style-type: none"> <li>a) The off-licence area shall be limited to a maximum of 15 sq.m. in extent and shall be ancillary to the primary food/convenience offering of the shop.</li> <li>b) Signage in the shopfront facia shall be agreed in writing with the Planning Authority prior to the commencement of development.</li> <li>c) Suitable road markings and signage shall be provided at the Loading Bay, as per Section 7 of the Traffic Report submitted to An Bord Pleanála dated 7 November 2023.</li> <li>d) 3 no. bicycle parking spaces shall be provided within the site, including 1 no. extra-long space.</li> </ul> <p>Details of the above shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of traffic safety and to ensure adequate bicycle parking provision.</p>
3.	<p>Opening hours shall be restricted to between 07:00 to 22:00 daily, including weekends. Deliveries shall not occur outside of these hours unless otherwise agreed in writing with the Planning Authority.</p> <p><b>Reason:</b> In the interest of residential amenity.</p>
4.	<p>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.</p>

	<b>Reason:</b> In the interest of visual amenity.
5.	<p>Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising, unless authorised by a further grant of planning permission.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
6.	<p>Prior to commencement of development, the developer shall enter into water and waste water connection agreements with Uisce Eireann.</p> <p><b>Reason:</b> In the interest of public health.</p>
7.	<p>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.</p> <p><b>Reason:</b> In order to safeguard the [residential] amenities of property in the vicinity.</p>

**Board Member**



Tom Rabbette

**Date:** 07/06/2024