

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Carlow County

Planning Register Reference Number: 16/264

An Bord Pleanála Reference Number: PL 01.247590

APPEAL by Michael P. Doyle of “Innisfree”, Station Road, Carlow against the decision made on the 21st day of October, 2016 by Carlow County Council to grant subject to conditions a permission to Charles McDermott and James Burke care of Dean Design of The Millhouse, Dunleckney, Bagenalstown, County Carlow in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of existing educational building as granted under planning register reference number 12/6504 to use as a funeral home, fully planning permission is sought to carry out internal and external alterations to accommodate same, ancillary car parking, all ancillary site works and services at Station Road, Carlow, County Carlow.

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 Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012–2018 and the planning history of the site, it is considered that, subject to compliance with the following conditions, the proposed funeral home would be compatible with the town centre zoning objective for the site, would not seriously injure the visual and residential amenities of the area 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 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. The proposed development shall be amended as follows:
 - (a) A hedgerow shall be planted alongside that portion of the western boundary wall to the site that accompanies land to the rear of the house on this site. The species of hedgerow and the number of plants shall be specified. Any plant which dies, is removed or becomes seriously damaged or diseased within a period of five years from the commencement of the re-use of the house shall be replaced within the next planting season.
 - (b) The eastern gate pier and the accompanying lower portion of the boundary wall that encloses the north eastern corner of the site shall be lowered to a height of no more than 1.1 metres above the crown level of the adjacent carriageway. Likewise, no item higher than 1.1 metres above this crown level shall be introduced to the visibly splay thus formed within the site.

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 order to safeguard the residential amenities of the area and to ensure that the visibility available to road users is improved, in the interest of road safety.

3. 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.

4. Water supply and drainage arrangements, including the attenuation and 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.

5. Prior to the commencement of the use, all 30 car parking spaces on the site shall be clearly delineated.

Reason: In order to ensure the efficient use of the car park.

6. Prior to their installation, the developer shall submit to, and agree in writing with, the planning authority all external signage for the use. Thereafter, and notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no other signage shall be installed, unless a further planning permission has first been obtained for it.

Reason: In order to afford the planning authority the opportunity to control signage, in the interest of visual amenity and road safety.

7. 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 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017.