



An
Bord
Pleanála

Board Order PL 15.247904

Planning and Development Acts 2000 to 2016

Planning Authority: Louth County Council

Planning Register Reference Number: 16/815

Appeal by Joseph Thornton of 13 John Street, Ardee, County Louth against the decision made on the 6th day of January, 2017 by Louth County Council to grant subject to conditions a permission to Ann O'Flynn care of Foster Associates of Dean Hill, Hayes, Navan, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from use as a surgery granted under previous permission, planning register reference number 04/703, to retail use including alterations to front elevation and provision of signage to front and side elevations at number 14 John Street, Ardee, County Louth.

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 limited nature and scale of the proposed development and the previous commercial use of the property, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenity of adjoining properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the concerns regarding residential amenity could be addressed by way of removing the side door and restricting access to the car park to the apartment and shop staff only.

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 existing door on the western elevation, as shown on drawing number P-03 providing additional access to the proposed shop shall be omitted. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of protecting the residential amenity of adjoining properties.

3. The proposed shopfront shall be in accordance with the following requirements:-
 - (a) Signage shall be restricted to the front elevation only. The proposed signage on the western elevation as shown on drawing number P-03 shall be omitted.
 - (b) External roller shutters shall not be erected.

Reason: In the interest of visual amenity.

