

Board Order PL 02.248859

Planning and Development Acts 2000 to 2017

Planning Authority: Cavan County Council

Planning Register Reference Number: 17/161

Appeal by John O'Reilly care of HQ Building Design and Planning Consultants of Annavackey, Hackballscross, Dundalk, County Louth against the decision made on the 16th day of June, 2017 by Cavan County Council to refuse permission.

Proposed Development: Change of use from fruit and veg shop to a takeaway premises, erection of signage and connection to existing services at Church Street, Kingscourt, County Cavan.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

The proposed development is located in an area zoned for 'town core' uses in the Cavan County Development Plan 2014-2020 with the objective to establish the extent of the town core and identify the most suitable location for a mix of retail, commercial, residential and social uses. It is a policy of the planning authority set out in the plan to discourage the development of takeaway restaurants where they would be likely to prove detrimental to the amenities of nearby residential properties. The proposed development, by reason of noise and general disturbance, would seriously injure the amenity of residential property in the vicinity, undermine a viable mix of retail, commercial, residential, cultural and social uses in the town centre, and therefore, would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017

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