



Planning and Development Acts 2000 to 2018

Planning Authority: Louth County Council

Planning Register Reference Number: 17/703

Appeal by Pauline Breslin care of Shay Duff and Associates of Lobinstown, Navan, County Meath against the decision made on the 26th day of January, 2018 by Louth County Council to grant subject to conditions permission to Linencare Laundries Limited care of ODM Building Surveyors and Engineers Limited of Wesley House, Jocelyn Street, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a plant room at Currabeg Business Park, Currabeg, 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 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 industrial land use zoning of the site located within Currabeg Business Park within the town boundaries of Ardee, and to the defined and limited nature and scale of the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of pedestrian and traffic safety, and would represent an appropriate form of use within this established industrial estate. The development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development for which retention is sought relates solely to the plant room which shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the planning authority on the 22nd day of December 2017, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All plant and machinery associated with the plant room for which retention is sought, shall be enclosed and soundproofed in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority within 3 months of the date of this order.

Reason: To safeguard the amenities of adjoining property.

3. No fans, louvres, ducts or other external plant other than those shown on the drawings hereby permitted for the plant room for which retention is sought, shall be installed unless authorised by a prior grant of planning permission.

Reason: In the interest of visual amenity.

4. (a) The noise level arising from the development for which retention is sought, as measured at any point along the boundary of the site with the nearest dwelling, shall not exceed:-
 - (i) An Leq, (30mins) value of 55 dB(A) during the period 0800 to 2000 hours from Monday to Saturday inclusive.
 - (ii) An Leq, (15 mins) value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

- (b) No pure tones or impulsive characteristics shall be audible at any noise sensitive location in the vicinity of the development.
- (c) At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.
- (d) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.
- (e) Noise monitoring shall be recorded and carried out at noise sensitive locations in accordance with details agreed in writing with the planning authority. Should the results of this monitoring show material exceedances of the limits set out in condition 4(a) above, the developer shall provide such further mitigation as the public authority may require, in writing.

Reason: To protect the residential amenities of property in the vicinity of the site.

5. 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 pay within one month of the date of this order 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.

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

Dated this day of 2018.