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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Monaghan County Council**

**Planning Register Reference Number: 18/15**

**Appeal** by Peadar Gilsenan care of JCK Solicitors of 16 Castle Street, Ardee, County Louth against the decision made on the 16<sup>th</sup> day of April, 2018 by Monaghan County Council to grant subject to conditions a permission to Danny Collins care of Finegan and Jackson of The Stables, Drumconrath Road, Carrickmacross, County Monaghan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Installation of a static bus wash unit to the north of the site utilising connections to the mains sewerage and water mains and all associated site works at Magheross, Carrickmacross, County Monaghan.

**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 parent permission granted under planning register reference number 17/331 and the nature of the proposed development, which comprises an alternative means of washing buses on site, which will be powered by electricity and provide a shorter wash cycle than that already approved, and having regard to the distance of the development from adjoining residential property and to the substantial vegetation to the south of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not give rise to an unreasonable level of noise or detract from the residential amenities of property in the vicinity of the site, and would not be prejudicial to public health. 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, as amended by the further plans and particulars submitted on the 20<sup>th</sup> day of March, 2018, 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. Prior to the first utilisation of the proposed static bus wash, the new yard, turning, parking areas and arrangements for access and site drainage, under parent permission, planning register reference number 17/331, shall be put in place and maintained thereafter.

**Reason:** In the interests of orderly development, visual amenity and public health.

3. No additional signs, flags, logos, other advertising material or illumination shall be erected or displayed on or adjacent to the development without a prior grant of planning permission.

**Reason:** In the interest of visual amenity.

4. Water supply and drainage arrangements, including the 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. The bus wash unit shall only be used between 07:00 hours and 22:00 hours, seven days per week.

**Reason:** In the interest of residential amenity.

6. 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 the 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.

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**Philip Jones**

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

**Dated this            day of            2018.**