



Planning and Development Acts 2000 to 2018

Planning Authority: Louth County Council

Planning Register Reference Number: 18570

Appeal by Brendan Murray of 6 Westwood, Roschoill, Dublin Road, Drogheda, County Louth and by Seán de Grae care of Joe Bonner of The Airport Hub, Unit 1, Furry Park, Old Swords Road, Santry, Dublin against the decision made on the 10th day of January, 2019 by Louth County Council to grant subject to conditions a permission to Park Capital Management Limited care of McKevitt Architects of 50 North Road, Drogheda, County Louth in accordance with plans and particulars lodged with the said Council:

Proposed Development: The development will consist of the following: (1) Change of use of existing workshop in main building to fitness studio and part retail unit. (2) Retention of subdivision of single retail unit to two number retail units and relocation of entrance doors (single retail unit proposed as per granted permission Planning Register Reference Number 16298). (3) Retention of omission of retail unit number 2 and relocation of stair core (as per original granted permission Planning Register Reference Number 16298). (4) Retention of omission of stair core in GP surgeries (as per original granted permission Planning Register Reference Number 16298). (5) Alterations to rear elevation. (6) New external lighting to existing main building. (7) All

associated site works, all at Dublin Road, Stameen, Drogheda, County Louth, as revised by the further public notice received by the planning authority on the 7th day of December, 2018.

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 planning history and the current permitted use on the site, the nature and scale of the proposed works, the policies and objectives, as set out in the Drogheda Borough Council Development Plan 2011-2017, the urban location of the site and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity and would be generally acceptable in terms of pedestrian and traffic safety. 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. A two-metre-high louvered acoustic screen shall be erected to the inside face of the existing 1.5-metre-high boundary wall along the northern boundary, as indicated on Drawing Number REV-ABP07, as submitted to An Bord Pleanála on the 6th day of March, 2019. This shall be done within three months of the date of this order.

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 the interest of residential amenity.

3. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 25th day of July, 2016 under planning register reference number 16298, and any agreements entered into thereunder.

Within six months of this grant of permission, the warehouse along the east/rear of the site shall be removed and the car parking layout illustrated in the above permission and the proposed development shall be implemented in full.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

4. The multi-use building and all activities occurring therein shall only operate between 0800 and 2200 hours from Monday to Sunday. No deliveries shall take place outside these hours.

Reason: In order to protect the residential amenities of property in the vicinity.

5. The floodlights or any equivalent replacement floodlights shall consist of those lights detailed in Drawing Number REV-ABP-02 and accompanying specification, as submitted to An Bord Pleanála on the 6th day of March, 2019. The floodlights shall be directed onto the surface of the car park and away from adjacent housing. The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses. The operational hours of the floodlighting shall not extend beyond 2200 hours with automatic cut-off of floodlighting at that time.

Reason: In the interests of residential amenity and traffic safety.

6. All existing advertising signs on the premises, other than the existing fascia signs on the pharmacy, GP surgery and a single fascia sign on the butcher's shop (but not projecting signs) shall be permanently removed with three months of the date of this order.

Reason: In the interest of visual amenity.

7. Other than the signs referred to in condition number 6, and notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

8. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.

9. The noise level shall not exceed 55 dB(A) rated sound level (that is, corrected sound level for a tonal or impulsive component) at the nearest noise sensitive location between 0800 and 2000 hours from Monday to Friday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

10. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

11. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

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

Dated this day of 2019.