



Planning and Development Acts 2000 to 2019

Planning Authority: Monaghan County Council

Planning Register Reference Number: 18/563

Appeal by Francis and Ann McArdle care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 5th day of April, 2019 by Monaghan County Council to grant subject to conditions a permission to McArdle Transport Limited trading as McArdle Skeath care of McMahan Associates of 50 Dobbin Street, Armagh in accordance with plans and particulars lodged with the said Council.

Proposed Development: (i) The demolition of an existing disused single storey flat roofed office building, (ii) the erection of a 2.4 metre high boundary wall, adjacent to the demolished offices, (iii) the erection of a nine metre high sprinkler fire water storage tank, with associated containerised sprinkler pump house and standby generator, (iv) proposed platform to south-west of existing warehouse, to support mechanical and electrical equipment, (v) the construction of two number Electricity Supply Board substations with attached MV and LV switch rooms and transformer compounds to service the existing site, (vi) minor amendments to layout of existing boundary wall and (vii) all associated site works at Cornagarvoige, Inniskeen, County Monaghan. Further public notices were received by the planning authority on the 11th day of

March, 2019 which included the following: Condensers to be relocated inside the building, reduction in height of proposed sprinkler fire water storage tank from 9 metres to six metres and a Noise Impact Assessment has been completed in relation to the proposed development.

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 nature and scale of the proposed development, to the planning history and the established light industrial and associated warehouse usage on site, the pattern of development in the area and to the proximity of the site to the regional and local road network, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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 11th day of March, 2019 and by the further plans and particulars received by An Bord Pleanála on the 30th day of May, 2019, 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) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed: -
- (i) An Leq,1h value of 55 dB(A) during the period 0800 hours to 1900 hours 7 days a week.
 - (ii) An Leq,15 min value of 45 dB(A) at any other time.
- (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 number 2(a) above, the developer shall provide such further mitigation as the planning authority may require, in writing.

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

3. A schedule of all materials to be used in the external treatment of the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate standard of development.

4. No fans, louvres, ducts or other external plant other than those shown on the drawings hereby permitted for the proposed development shall be installed, unless authorised by a prior grant of planning permission.

Reason: In the interest of visual amenity.

5. (a) 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.

(b) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site.

Reason: In the interest of public health and to prevent pollution.

6. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures.

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

8. 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.

9. No additional signage, advertising structures/advertisements, or other projecting elements including flagpoles shall be erected within the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

10. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

Terry Ó Niadh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.