



Planning and Development Acts 2000 to 2019

Planning Authority: Louth County Council

Planning Register Reference Number: 19109

Appeal by Tom Mears care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 4th day of August, 2019 by Louth County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of the retention of the original industrial building and continuance of use for light industrial purposes, all at Eurolec Instrumentation Ltd, Technology House, Cluan Enda, Dundalk, County Louth.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 3

and the reason therefor and to AMEND condition number 2 so that it shall be as follows for the reason set out.

2. (a) The building proposed to be retained shall be used as a light industrial building in accordance with Class 4 of Part 4 of Schedule 2 and Article 5(1) of the Planning and Development Regulations 2001, as amended.
- (b) The unit shall not be subdivided.

Reason: In the interest of clarity and in order to control the intensity of development in the interest of residential amenity.

Reasons and Considerations

1. Having regard to the 'residential use' zoning of the site, to the nature and scale of the development proposed to be retained, to the existing historical light industrial use of the site, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the amendments to condition number 2, the development proposed to be retained would not be out of character with existing development within the area, would be acceptable in terms of visual impact, would not seriously injure the residential amenities of the area or of property in the vicinity and would be in accordance with the provisions of the Dundalk and Environs Development Plan 2009-2015 as extended. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

2. In relation to condition number 3, having regard to the provisions of the Louth County Council Development Contribution Scheme 2016-2021, and to the development proposed to be retained, it is considered that the terms of Scheme have been properly applied by the planning authority.

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.

John Connolly

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

Dated this day of 2019.