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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 20/727**

**Appeal** by Christopher Donoghue care of Adrian Donoghue Design Limited of The Long Acre, Clonanny, Portarlington, County Laois against the decision made on the 5<sup>th</sup> day of February, 2021 by Kildare County Council to grant subject to conditions a permission to Lidon Limited care of JA Gorman Consulting Engineers Limited of Unit 1, Block B, Forest Park, Mullingar, County Westmeath in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The installation of a 12 metres high Main Identification Totem sign at Mayfield Interchange Services Area, Junction 14, M7 Motorway, Mayfield, Monasterevin, County Kildare.

**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:

- (a) the provisions of the Kildare County Development Plan 2017-2023,
- (b) the modest nature and scale of the development proposed in the context of the established Motorway Service Station on site,
- (c) the extent to which the proposal complies with development plan policy in respect of signage, and
- (d) the pattern of development in the area and in particular on site,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or adversely affect property values in the area. 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 17<sup>th</sup> day of November, 2020 and on the 19<sup>th</sup> day of January, 2021, and by the further plan and particulars received by An Bord Pleanála on the 22<sup>nd</sup> day of March, 2021, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, any change to the display panels, including any increase in the font size, nature of information being displayed, or the external illumination, shall be the subject of a separate application for permission to the planning authority. This permission relates to this signage only, and all other future signage shall be the subject of a separate planning permission.

**Reason:** To enable the planning authority to assess the impacts of any such changes on the amenities of the area.

3. No spoil, dirt or debris or other materials shall be deposited on the public road, footpath or verge by operatives of vehicles travelling to or from the site during construction of the proposed development.

**Reason:** To ensure that the developer keeps the public area adjacent to the development in a suitably clean state of repair during construction.

4. The developer/owner of this Main Identification Totem sign shall reposition the sign to an alternative position on site to the satisfaction of the planning authority and Transport Infrastructure Ireland if required at a later date. The developer/owner of the Main Identification Totem sign shall be liable for all costs.

**Reason:** To provide future transportation upgrades and associated building line requirements.

5. The developer shall ensure that all surface water drainage arrangements on-site are to the specifications and requirements of the planning authority.

**Reason:** In the interest of providing for proper drainage facilities and to ensure that roadside drains are appropriately maintained.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 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.



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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *18<sup>th</sup>* day of *June* 2021

