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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Cavan County Council**

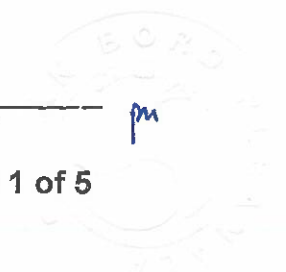
**Planning Register Reference Number: 21/557**

**Appeal** by Cathal Brady of 1 Roscalgan, Cavan Town against the decision made on the 2<sup>nd</sup> day of November, 2021 by Cavan County Council to grant subject to conditions a permission to Donal Watters care of Wynne Gormley Gilsenan of 21 Church View, Cavan, County Cavan in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Change of use from 'office ancillary to motor sales facilities' to 'office use', and all associated works at Unit 17 Kilmore Business Park, Dublin Road, Cavan, County Cavan.

**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 Cavan County Development Plan 2014 – 2020, the Cavan Town and Environs Development Plan 2014 – 2020, and the planning history of the site, the Board considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in principle under the zoning objectives for the site, would not seriously injure the amenities of the area and would not cause traffic hazard. 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. The proposed development shall be amended as follows:
  - (a) Three car parking spaces shall be provided in the underground car park to serve those whose mobility is impaired.
  - (b) 10 bicycle stands shall be provided in the underground car park.

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 universal accessibility and in order to promote sustainable modes of transport.

3. Prior to commencement of the proposed use, a Mobility Management Plan shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car-pooling by staff employed in the proposed use and to reduce and regulate the extent of staff parking. Details to be agreed with the planning authority shall include the provision of bicycle parking and shower and changing facilities associated with the policies set out in the plan.

**Reason:** In the interest of encouraging the use of sustainable modes of transport.

4. Prior to commencement of the proposed use, a scheme shall be submitted to and agreed in writing with the planning authority. This scheme shall comprise a methodology for a noise survey of the first floor of the East Building, the noise survey itself, and any noise mitigation measures that may be needed. It shall also include a timetable for the implementation of any noise mitigation measures.

**Reason:** To ensure that the use is compatible with the ground floor service workshops in the East Building on the site.

5. The site access, egress, and circulation system shown in the site layout plan (drawing number PL20-027-001) shall be adhered to at all times, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interests of good traffic management and road safety.

6. The office use hereby permitted is for an office use as defined by Class 3 of Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

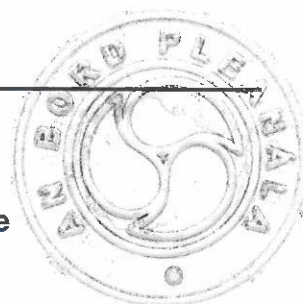
**Reason:** In the interest of clarity.

7. Prior to the installation of any external signage for the proposed use, a scheme shall be submitted to and agreed in writing with the planning authority providing details of the siting, design, and dimensions of such signage. Thereafter, only the signage shown in the agreed scheme shall be installed.

**Reason:** In order to afford the planning authority the opportunity to control signage, in the interest of visual amenity.

  
Paul Hyde

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



Dated this 4<sup>th</sup> day of April 2022.