



An  
Bord  
Pleanála

## Board Order ABP-313562-22

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 22/252**

**Appeal** by Mohammad Basharat of Cavan Street, Oldcastle, County Meath against the decision made on the 20<sup>th</sup> day of April, 2022 by Meath County Council to grant subject to conditions a permission to Samuel Acatincai care of Michael Allen of Bective Square, Kells, County Meath in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Change of use of part of the ground floor premises from beauty salon to pizza take-away facility, fitting out of the premises for use as a pizza take-away facility, provision of a corporate sign on the existing sign board, fitting a new front entrance door, together with all ancillary works, all at Cavan Street, Oldcastle, County Meath.

### 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.**

## Reasons and Considerations

Having regard to the provisions of the Meath County Development Plan 2021 - 2027, including the 'B1 – Commercial Town or Village' zoning that applies to the site, the location of the site within an established town centre setting, and the pattern of development in the surrounding 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, would not be prejudicial to public health and would, otherwise, 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 on the 25<sup>th</sup> day of February, 2022, 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 developer shall control odour emissions from the premises in accordance with measures, including extract duct details, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of public health and to protect the amenities of the area.

3. The hours of operation shall be between 0800 and 2200 hours from Mondays to Saturday inclusive and between 1000 and 2200 hours on Sundays.

**Reason:** In the interest of the amenities of property in the vicinity.

4. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to the operation of the development. This scheme shall include the provision of litter bins and refuse storage facilities.

**Reason:** In the interest of visual amenity.

5. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no additional 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.

6. Security roller shutters, if installed, shall be recessed behind the glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising.

**Reason:** In the interest of visual amenity.

7. 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.

**Reason:** In the interest of public health.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

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

Dated this *19<sup>th</sup>* day of *July*, 2023.