



Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 21/885

Appeal by John Callan of 55 Oaklawns, Drogheda, County Louth against the decision made on the 10th day of June, 2022 by Louth County Council to grant subject to conditions a permission to Rokeby Properties Limited care of Altu Architects of 14/15 Camden Street Lower, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development that will consist of change of use of existing vacant ground floor retail space to seven number one bedroom apartment units. Internal demolition of two numbered stair cores and internal partitions, at South Quay, James Street, Drogheda, County Louth. The proposed development was revised with new public notices received by the planning authority on the 19th day of May 2022.

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 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2022 and the Louth County Development Plan 2021-2027, the town centre location of the site and the existing pattern of development in the area, and having regard to the planning history of the site and nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the vitality or vibrancy of the town centre or seriously injure the residential amenities of existing property in the area and would provide an acceptable level of residential accommodation for occupants. 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 received by the planning authority on the 19th day of May 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 interests of clarity.

2. The proposed development shall be amended as follows:

- Unit numbers one and seven shall be omitted from the development.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

3. The proposed development shall be amended as follows:

- (a) Each apartment shall be provided with a minimum 3 square metres of internal storage space which may be provided in the form of secure, allocated storage at ground or basement level.
- (b) All balconies shall have a minimum depth of 1.5 metres
- (c) Privacy strips of 1.5 metres in depth, shall be provided on the boundary between the areas of private amenity space serving units four to six and adjoining public / communal areas.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interests of residential amenity.

4. Prior to the commencement of development;
 - (a) the developer shall submit, for the written agreement of the planning authority, a detailed and comprehensive hard and soft landscaping plan and planting schedule for the proposed area of semi-private communal open space. Planting shall comprise native and pollinator friendly species; and
 - (b) the developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following each phase of the development and any plant materials that die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: In the interests of residential and visual amenity.

5. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Uisce Eireann.

Reason: In the interest of public health.

6. All service cables associated with the proposed development (such as electrical, telecommunications, and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Satellite dishes and other telecommunications and television equipment shall not be erected on the elevations of this development unless otherwise granted planning permission.

Reason: In the interests of visual and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0800 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.

8. 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.

9. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

10. Prior to commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

11. 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:
- (a) the location of the site and materials compound including areas identified for the storage of construction refuse.
 - (b) details of routing for construction traffic and parking during the construction phase
 - (c) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network, and
 - (d) details of proposed mitigation measures for noise, dust and vibration and monitoring of such levels during construction.

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

12. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures of communal areas shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity


Mary Cregg

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

Dated this 8th day of December 2023.