

An
Bord
Pleanála

Board Order
ABP-317281-23

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 23/158

Appeal by Catherine Fergus and others care of 59 Cluan Enda, Dundalk, County Louth and by Geraldine Byrne and others care of 49 Cluan Enda, Dundalk, County Louth against the decision made on the 19th day of May, 2023 by Louth County Council to grant subject to conditions a permission to Eilish McKeever care of Bernard Dowdall Architects of Carrickedmond, Kilcurry, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of an existing industrial building to a residential use, elevational changes to the existing unit and all site development works, all at Technology House, Cluan Enda, Dundalk, County Louth.

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 Louth County Development Plan 2021-2027 and all material considerations, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning objective for the site, would not detract from the visual amenity of the area, would provide an acceptable standard of residential amenity for the prospective residents, would not seriously injure the residential amenity of surrounding properties, and would not endanger public safety or convenience by reason of traffic generation, flooding and drainage proposals, or otherwise. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to occupation of the dwelling unit hereby permitted, the developer shall submit proposals for the written agreement of the planning authority to enhance the sense of safety and security to pedestrians accessing the proposed development in so far as it is feasible.

Reason: In the interest of the orderly development of the site.



3. Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto any adjoining property.

Reason: In the interest of traffic safety and orderly development.

4. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

5. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) Any hard landscaping works, including car parking layout, enclosed areas, specifying surfacing materials.


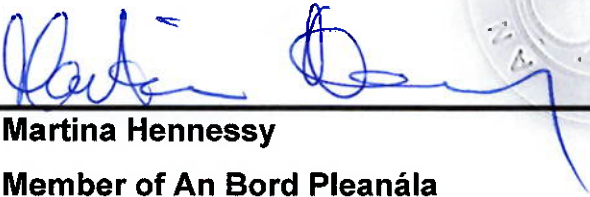
- (b) Proposals for soft landscaping, the protection of all existing and new planting for the duration of construction works on site, together with proposals for adequate protection of new planting from damage until established.

- (c) The agreed hard and soft landscaping scheme shall be carried out within the first planting season following occupation of the dwelling hereby permitted.



- (d) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.
- (e) All areas for hard and soft landscaping shall be retained in accordance with the agreed details thereafter.

Reason: In the interest of amenity and to provide adequate facilities for surface water drainage of the site.



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

Dated this 20th day of March 2024.