



An
Bord
Pleanála

Board Order
ABP-318216-23

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 2360234

Appeal by Lis na Dara Residents care of Conor Byrne, 9 Ard na Mul, Lis na Dara, Dundalk, County Louth against the decision made on the 15th day of September, 2023 by Louth County Council to grant subject to conditions a permission to Shane Gleeson care of Stephen Ward Town Planning and Development Consultants of Jocelyn House, Jocelyn Street, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of part of the ground floor of the existing primary care unit (permitted under planning register reference number 08/139) to provide for circa 151 square metres of retail floor space (to include off-licence use) and external signage to front elevation, all at Carrickmacross Road Medical Centre, Lis na Dara, 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 policies and objectives of the Louth County Development Plan 2021-2027, National, Local and Regional retail planning policy, the modest size of the proposal and its location within a residential area, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would not create a traffic hazard and would constitute an acceptable form of development at this location. 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) the off-licence area shall be limited to a maximum of 15 square metres in extent and shall be ancillary to the primary food/convenience offering of the shop,
 - (b) signage in the shopfront facia shall be agreed in writing with the planning authority prior to the commencement of development,

- (c) suitable road markings and signage shall be provided at the Loading Bay, as per Section 7 of the Traffic Report submitted to An Bord Pleanála dated the 7th November, 2023, and
- (d) three number bicycle parking spaces shall be provided within the site, including one number extra-long space.

Details of the above shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety and to ensure adequate bicycle parking provision.

- 3. Opening hours shall be restricted to between 0700 to 2200 daily, including weekends. Deliveries shall not occur outside of these hours unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential amenity.

- 4. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no 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: In the interest of visual amenity.

5. Security roller shutters, if installed, shall be recessed behind the perimeter 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, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

6. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

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.



Tom Rabbette

Member of An Bord Pleanála

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

Dated this 20th day of June 2024.