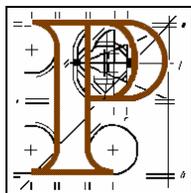


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

Louth County

Planning Register Reference Number: PL 13/480

An Bord Pleanála Reference Number: PL 15.243360

APPEAL by John and Georgina McGoey care of John Fleming Architects of 2-3 Roger's Lane, Baggot Street Lower, Dublin against the decision made on the 14th day of April, 2014 by Louth County Council to refuse permission.

PROPOSED DEVELOPMENT: Extensions and alterations consisting of demolition of an existing sunroom, alterations to the interior and extensions to the existing two-storey detached house comprising two-storey extensions to the rear (west) and side (south gable), a new single storey bay window extension on the north gable and a new glazed entrance porch with canopy to the front increasing the floor area by 136.5 square metres and for a new south facing covered terrace and the construction of a separate single storey car port to the rear of the house and the realignment of the existing driveway, all landscaping and related works on and under land, all at Wheatfield House, on a 0.49-hectare site at Millockstown, Ardee, County Louth.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations 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

In deciding to refuse permission for the proposed development, the planning authority stated that the proposed development would materially contravene the policies set out in the Louth County Development Plan 2009-2015. Section 37(2)(b) of the Planning and Development Act, 2000, as amended, states that “where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission” in certain limited circumstances. Having regard to the scale of the existing house, and to the extensive proposals for landscaping, the Board considered that the proposed extensions would be subordinate to the main house, and would generally be acceptable in this instance. Notwithstanding this, the Board had regard to the reasons for refusal given by the planning authority, and to the provisions of the said development plan, and considered that the proposed development does not come within the scope of the exceptions set out under Section 37(2)(b) (i) to (iv) of the Planning and Development Act 2000, as amended. The Board is, therefore, precluded from considering a grant of permission in this case.

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

Dated this day of 2014.