



Planning and Development Acts 2000 to 2019

Planning Authority: Louth County Council

Planning Register Reference Number: 19354

Appeal by Lisa and Colm Rafferty of 39 Congress Avenue, Drogheda, County Louth against the decision made on the 9th day of August, 2019 by Louth County Council to refuse permission for the proposed development.

Proposed Development: Construction of a single storey extension to the side, a two-storey extension to the rear and a vehicular entrance with parking to the front to include the demolition of existing garden railings and the erection of new piers and gates, all at 39 Congress Avenue, Drogheda, 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.

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

Having regard to the scale, form and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene the provisions of the current development plan for the area and would not adversely impact on the residential amenity of neighbouring property. 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 submitted on the 18th day of July 2019, and by the further plans and particulars received by An Bord Pleanála on the 4th day of September, 2019, 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. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, revised drawings showing the following;
 - (i) The window ope on the northern side elevation at first floor level shall be widened to two metres with a cill height of 1.8 metres and augmented with the provision of two number roof lights on the northern roof slope of the proposal, serving bedroom 3, and
 - (ii) the provision of two number roof lights on the southern roof slope of the proposal, serving the hallway beneath.

Reason: In the interest of residential amenity and safety.

3. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. 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.

5.
 - (i) The vehicular access, serving the proposed development, shall comply with the requirements of the planning authority for such road works.
 - (ii) Any gate to be installed shall be inwards opening only and shall not open across the public footpath or the shared vehicular access driveway.

Reason: In the interest of traffic and pedestrian safety.

6. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.

7. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

Dave Walsh

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

Dated this day of 2020.