



An
Bord
Pleanála

Board Direction
BD-008891-21
ABP-309885-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/08/2021.

The Board decided by a majority of 2:1 to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the nature, scale and design of the development for which retention is sought under this application and the pattern of development in this area, it is considered, subject to the conditions set out below, that this development would not seriously injure the residential amenities of adjoining residential property; would not seriously detract from the visual amenities of the area or detract from the character of the area or protected views from this stretch of the R172; and it would be consistent with the policies and objectives of the Louth County Council Development Plan, 2015 to 2021, and the Dundalk and Environs Development Plan, 2009 to 2015. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the limited nature and scale of the development for which retention is sought, the Board concurred with the planning authority and concluded that no Appropriate Assessment issues arise as the development would not be likely to have a significant effect individually or in combination with other plans or projects on the

Dundalk Bay Special Protection Area (Site Code: 004026) or any other European site.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the further plans and particulars submitted on the 18th day of February, 2021, 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. Within 3 months of the date of this permission obscure glazed screens of a 1.8m height and a width that matches the full extent of the southern and northern sides of the second-floor level balcony shall be erected and permanently retained thereafter. Details of this shall be submitted for the written agreement of the Planning Authority.

Reason: In the interests of orderly development and in the interests of residential and visual amenities.

3. All surface water drainage disposal arising from the first-floor balcony, shall comply with the requirements of the Planning Authority for such works and services. Details of this shall be submitted for the written agreement of the Planning Authority within 3 months of the date of this permission.

Reason: In the interest of public health.

Note: In the interests of clarity the Board considered that the proposed amendments to the first floor balcony, whereby the permitted high stone wall (PA Ref. No. 15/96) is replaced by a 1.8m high obscured glass panel (as provided for in further plans and particulars submitted as further information on the 18th day of February 2021), differ materially from the description of the development in the public notices and concluded that these amendments and the retention of the first floor balcony as constructed, are outside the scope of this application and decision.

Board Member *Maria FitzGerald* **Date:** 12/08/2021
Maria FitzGerald

