

An
Bord
Pleanála

Board Direction
BD-010405-22
ABP-311941-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/03/2022.

The Board decided 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 location of the appeal site within the centre of Blackrock, the pattern of existing development in the area, the existing vacant state of the building thereon, and to the nature, scale and design of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or residential amenities of properties in its vicinity and it would not conflict with the objectives of the Louth County Development Plan, 2021 to 2027. 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 6th day of September, 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. The domestic storage area at second floor level shall be used for storage purposes only and shall not be used as habitable accommodation.

Reason: In the interest of orderly development and to ensure compliance with minimum standards of accommodation.

3. Demolition shall be limited to that indicated on the plans lodged with this application.

Reason: In the interests of the proper planning and sustainable development of the area.

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

Reason: In the interests of architectural harmony and visual amenity.

5. The development shall be carried out in accordance with the following:
- (i) The finished floor level of the property is to be increased by 140mm to 4.04m O.D. as per the flood risk assessment report.
 - (ii) The applicant shall utilise appropriate flood resilience measures throughout the development e.g., all electrical works including wiring, sockets, switches, and the like to be located at least 1m above Extreme Water Level of 3.74m. The applicant shall implement all mitigation measures as outlined within the flood risk assessment report.
 - (iii) The right-of-way via the existing private laneway running along the southern boundary of the site shall be kept clear at all times including during construction, unless otherwise agreed with the relevant property owners.

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

6. 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.

7. 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 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.

8. The site development works, and construction works shall be carried out in such a manner as to ensure that the public roads are kept clear of debris, soil, and other materials and if the need arises for cleaning works or repair to be carried out to the same, the said cleaning works shall be carried out at the developer's expense.

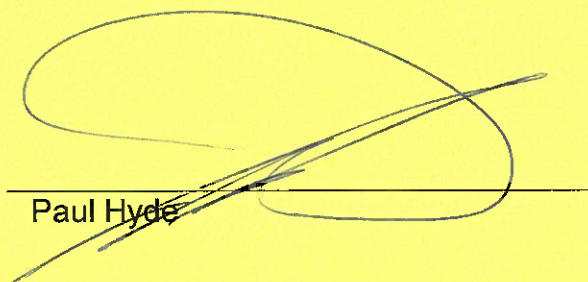
Reason: To ensure that the adjoining lane and roads are kept in a clean and safe condition during construction works in the interests of orderly development.

9. The construction of the development shall be managed in accordance with a Construction and Demolition Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

Advisory Note: Section 34(13) of the Planning and Development Act, 2000 as amended, indicates that: "*a person shall not be entitled solely by reason of a permission or approval under this section to carry out a development*".

Board Member



Paul Hyde

Date: 30/03/2022