

An
Bord
Pleanála

Board Direction
BD-012393-23
ABP-312970-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/06/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the cantilevered form of the structure to be retained, its overall siting relative to the adjacent coastline and its elevated position relative to the existing garden embankment and gabion wall, the Board considers the development is contrary to Policy Objective ENV 56 of the Louth County Development Plan, 2021-2027 which seeks "To protect the special character of the coast by preventing inappropriate development, particularly on the seaward side of coastal roads". The retention of the subject development in its current form would, therefore, be contrary to the proper planning and sustainable development of the area.
2. In addition, having regard to the cantilevered form of the structure to be retained, its overall siting relative to the adjacent coastline and its elevated position relative to the existing garden embankment and gabion wall, the proposal is not in accordance with Policy Objective ENV 57 of the Louth County Development Plan, 2021-2027, which has an objective "To strictly control the nature and pattern of development within coastal areas and ensure that it is designed and landscaped

the same way, the \mathcal{H}^1 -norm of \mathbf{u}_ε is bounded by $C\varepsilon^{-1}$.

By the definition of \mathbf{u}_ε , we have $\mathbf{u}_\varepsilon = \mathbf{u}_\varepsilon^0 + \mathbf{u}_\varepsilon^1$, where \mathbf{u}_ε^0 and \mathbf{u}_ε^1 are the solutions of the following problems:

$$\begin{cases} \operatorname{div}(\mathbf{u}_\varepsilon^0) = 0, \\ \operatorname{div}(\mathbf{u}_\varepsilon^1) = \mathbf{f}_\varepsilon, \end{cases} \quad \text{in } \Omega_\varepsilon, \quad (3.10)$$

where \mathbf{u}_ε^0 and \mathbf{u}_ε^1 are the solutions of the following problems:

$$\begin{cases} \operatorname{div}(\mathbf{u}_\varepsilon^0) = 0, \\ \operatorname{div}(\mathbf{u}_\varepsilon^1) = \mathbf{f}_\varepsilon, \end{cases} \quad \text{in } \Omega_\varepsilon, \quad (3.11)$$

where \mathbf{u}_ε^0 and \mathbf{u}_ε^1 are the solutions of the following problems:

$$\begin{cases} \operatorname{div}(\mathbf{u}_\varepsilon^0) = 0, \\ \operatorname{div}(\mathbf{u}_\varepsilon^1) = \mathbf{f}_\varepsilon, \end{cases} \quad \text{in } \Omega_\varepsilon, \quad (3.12)$$

where \mathbf{u}_ε^0 and \mathbf{u}_ε^1 are the solutions of the following problems:

$$\begin{cases} \operatorname{div}(\mathbf{u}_\varepsilon^0) = 0, \\ \operatorname{div}(\mathbf{u}_\varepsilon^1) = \mathbf{f}_\varepsilon, \end{cases} \quad \text{in } \Omega_\varepsilon, \quad (3.13)$$

where \mathbf{u}_ε^0 and \mathbf{u}_ε^1 are the solutions of the following problems:

$$\begin{cases} \operatorname{div}(\mathbf{u}_\varepsilon^0) = 0, \\ \operatorname{div}(\mathbf{u}_\varepsilon^1) = \mathbf{f}_\varepsilon, \end{cases} \quad \text{in } \Omega_\varepsilon, \quad (3.14)$$

where \mathbf{u}_ε^0 and \mathbf{u}_ε^1 are the solutions of the following problems:

$$\begin{cases} \operatorname{div}(\mathbf{u}_\varepsilon^0) = 0, \\ \operatorname{div}(\mathbf{u}_\varepsilon^1) = \mathbf{f}_\varepsilon, \end{cases} \quad \text{in } \Omega_\varepsilon, \quad (3.15)$$


where \mathbf{u}_ε^0 and \mathbf{u}_ε^1 are the solutions of the following problems:

$$\begin{cases} \operatorname{div}(\mathbf{u}_\varepsilon^0) = 0, \\ \operatorname{div}(\mathbf{u}_\varepsilon^1) = \mathbf{f}_\varepsilon, \end{cases} \quad \text{in } \Omega_\varepsilon, \quad (3.16)$$

to the highest standards, and sited appropriately so as not to detract from the visual amenity of the area...". The existing structure is visually pronounced and detracts from the overall visual amenity of what is a relatively unspoilt section of the coastline. The retention of the subject development in its current form would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board also noted the Inspector's observation regarding the apparent encroachment of the boundary of the site into the adjacent beach area in the context of requirements for any modified proposal.

Board Member



Mary Cregg

Date: 09/06/2023

