

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Louth County**

**Planning Register Reference Number: 15/444**

An Bord Pleanála Reference Number: PL 15.245979

**APPEAL** by Christine Tumilty of 1 Mountain Park, Carlingford, County Louth and by Irene Tylicki of The Cottage, Mountain Park, Carlingford, County Louth against the decision made on the 3<sup>rd</sup> day of December, 2015 by Louth County Council to grant subject to conditions a permission to Peter and Olivia Hill care of Colm G. Holmes and Associates Limited of “Bearna”, Jenkinstown, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Extension to side of existing dwellinghouse, internal alterations and all associated site works at Mountain Park, Carlingford, 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 nature and scale of the proposed extension to an existing house, and to the pattern of development in the vicinity, including the relative position of and distances to neighbouring houses, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the appeal site is less restricted in size than those of its neighbours and could accommodate the proposed development, and furthermore, considered that the distances to the site boundaries are acceptable, such that a diminution of neighbouring residential amenity is not likely to arise by reason of overshadowing, overbearing impacts, or loss of daylight. The Board concurred with the views of the planning authority on this matter.

## 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 17<sup>th</sup> day of November, 2015, 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 external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation and 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.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

5. During the course of construction works, the developer shall provide on-site, a covered skip or other such receptacle for the deposit of all rubbish, litter, paper, packaging, rubble and other such materials arising from the works. The developer shall ensure that the site and its environs are maintained at all times in a clean and tidy condition.

**Reason:** In the interest of the visual amenities of the area.

6. No dust, mud or debris from the site shall be carried onto or deposited on the public roads or footpaths. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

**Reason:** In the interest of the amenities of the area and orderly development.

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.

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

**Dated this            day of            2016.**