# An Bord Pleanála



## PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## Louth County

## Planning Register Reference Number: 16/463

An Bord Pleanála Reference Number: PL 15.247506

**APPEAL** by Martin and Ruth Murray of Hamlinstown, Monasterboice, Drogheda, County Louth against the decision made on the 6<sup>th</sup> day of October, 2016 by Louth County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a garden shed at Hamlinstown, Monasterboice, Drogheda, County Louth.

#### DECISION

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 3 and the reason therefor.

#### REASONS AND CONSIDERATIONS

Having regard to the location of the proposed development, and its proximity to adjoining property to the north, it is considered reasonable that the proposed development be reduced in height, relative to that property, in the interest of visual amenity and to protect the residential amenity of that property.

In not accepting the Inspector's recommendation to require the removal of condition number 3, the Board was not satisfied, based on the documentation submitted, that the imposition of this condition by the planning authority was in error, and considered that the purpose of the condition was justified.

### 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.

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

Dated this day of 2017.