

Board Order PL 15.248416

# Planning and Development Acts 2000 to 2017 Planning Authority: Louth County Council Planning Register Reference Number: 17/099

**Appeal** by Patrick McShane of Liberties, Carlingford, County Louth against the decision made on the 6<sup>th</sup> day of April, 2017 by Louth County Council to grant subject to conditions retention permission to Vincent McComish care of Shane McCoy of 6 Edenvalley, Jonesborough, Newry, County Down in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of an extension to the rear of an existing dwellinghouse and associated site development works at Liberties, Carlingford, County Louth.

### Decision

GRANT retention 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 zoning Objective "Residential (Existing)" for the area as set out in the Louth County Development Plan 2015-2021 and the pattern of residential development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed retention of development would be in accordance with the provisions of the Development Plan, would not seriously injure the amenities of the Liberties neighbourhood or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed retention of development would, therefore, be in accordance with the proper planning and sustainable development of the area.

# Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, 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 existing dwelling and extension proposed for retention, 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:** In the interest of clarity and to restrict the use of the extension in the interest of residential 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. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwellinghouse, without a prior grant of planning permission.

**Reason:** In the interest of residential and visual amenity, and in order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwelling.

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

Dated this day of 2017