



An
Bord
Pleanála

**Board Order
PL 15.248869**

Planning and Development Acts 2000 to 2017

Planning Authority: Louth County Council

Planning Register Reference Number: 17314

Appeal by Anthony McKeown care of Stephen Ward of Jocelyn House, Jocelyn Street, Dundalk, County Louth against the decision made on the 16th day of June, 2017 by Louth County Council to refuse permission for the proposed development.

Proposed Development: Retention of an existing balcony and glass enclosure structure and permission for a new 1.7 metres high privacy screen comprising opaque glass within a stainless steel frame on the western side of the balcony to match materials and finishes to the existing balcony enclosure. The balcony area has dimensions of 1.1 metres by 2.9 metres to give an overall area of 3.19 square metres and is formed by the flat-roof area of a porch permitted as part of planning register reference number 15/722. The balcony serves an existing dwellinghouse, all at 13 Rampark Shore, Rampark Townland, Jenkinstown, 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 provisions of the Louth County Development Plan 2015-2021 and to the pattern of limited, modest residential development in the vicinity, 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, 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 on the 28th day of April 2017, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The 1.7 metres high privacy screen proposed for the west facing side of the balcony shall be omitted.
 - (b) The west facing glass panel shall be replaced with a permanently fitted opaque glass panel in lieu of the existing transparent panel.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

Reason: In the interests of visual and residential amenity.

3. The existing dwelling, inclusive of the development for retention, shall be occupied as a single residential unit.

Reason: In the interest of clarity and of residential amenity.

4. All the external finishes shall harmonise in materials, colour and texture with the existing finishes on the house. Details including samples of the materials, colours and textures of all the external finishes, shall be submitted to, and agreed in writing with the planning authority within three months of the date of this order.

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

