



Planning and Development Acts 2000 to 2018

Planning Authority: Louth County Council

Planning Register Reference Number: 17724

Appeal by Ina McCrumlish and others care of Stephen Ward of Jocelyn House, Jocelyn Street, Dundalk, County Louth against the decision made on the 5th day of January, 2018 by Louth County Council to grant subject to conditions a permission to Sheila and Seamus Fagan of Saint Anthony's Trinity Street, Drogheda, County Louth in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of existing store and construction of an extension to Saint Anthony's comprising single bedroom extension at basement level with two one-bedroom residential units over on two storeys at Saint Anthony's Trinity Street, Drogheda, 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 zoning objectives for the area and the pattern of development in the area, 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, therefore, be in accordance with the proper planning and sustainable development of the area.

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 8th day of December, 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 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 following changes shall be incorporated into the overall layout.
 - (a) A two-metre high solid wall with a rendered finish to match the elevation treatment of the proposed development shall be provided along the western side of the proposed balconies, with a 0.6-metre return on the southern side of the balconies.
 - (b) The proposed gate access in the southern boundary fence and the proposed path connecting to the riverside walkway shall be omitted.
 - (c) The basement bedroom shall be internally linked to the existing dwelling (Saint Anthony's).

Details of the above changes shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. As-constructed drawings shall be submitted to the planning authority prior to occupation of any part of the proposed development.

Reason: In the interests of clarity and residential amenity.

3. Details of the materials, colours and textures of all external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. All bathroom/ensuite windows shall be fitted and permanently maintained with obscure glass. The use of film is not permitted.

Reason: in the interest of residential amenity.

5. 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.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0800 and 1900 hours from Monday to Friday inclusive and between 0800 and 1400 hours on Saturdays and not at all on Sundays or Public Holidays. Deviation from these times shall 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 properties in the vicinity.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures, water pollution prevention measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2018.