



Planning and Development Acts 2000 to 2018

Planning Authority: Louth County Council

Planning Register Reference Number: 17837

Appeal by Thomas Smyth care of David Wilson of 1 May Avenue, Bangor, County Down, Northern Ireland against the decision made on the 22nd day of February, 2018 by Louth County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Refurbishment and alterations to existing two-storey terrace house including rear two-storey extension at 16 Barrack Street, Dundalk, County Louth.

Decision

Having regard to the nature of the conditions 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 REMOVE condition number 2(b) and the reason therefor, and AMEND condition number 2(a) so that it shall be as follows for the reason set out.

- 2 (a) The existing timber sash windows and timber front door shall be retained and restored or replaced new timber sash windows and a timber door to match the existing. Details of the restoration of the existing windows and door or of any replacements shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.
- (b) The roof of the existing house shall be refurbished re-using the existing natural Welsh slate, or if this is not suitable for re-use, a slate to match the existing and other slate in the terrace (in terms of type/source, size, colour and texture).
- (c) The existing cast iron gutter, hopper and down-pipe shall be retained, and repaired, or if beyond repair, replaced with like for like in cast iron to match the existing profiles.
- (e) The existing decorative brick/terracotta eaves corbels supporting the gutter shall be retained.

Reason: In the interest of visual amenity and conservation within an Architectural Conservation Area.

Reasons and Considerations

Having regard to the location of the site in an area designated as Architectural Conservation Area Number 5 Jocelyn Place/Seatown designation, which is primarily concerned with the integrity of the broader streetscape, the Board considers that the replacement of the original windows with new timber sash windows that match the design and proportions of the original windows would not undermine the integrity of the streetscape to any significant degree. Key features such as the brickwork, the openings and brick quoin detailing around the window and door openings will be preserved. The condition to retain the windows must also be viewed in the context of the level of alteration that has already occurred along this street, where the majority of windows on both

sides of the street have been replaced with modern PVC windows of varying styles and colours.

On balance, the Board considers that the requirement to retain the existing windows, in this context, is overly onerous and that a sympathetic replacement would represent an acceptable outcome.

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.

Terry Ó Niadh

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

Dated this day of 2018.