



Planning and Development Acts 2000 to 2019

Planning Authority: Louth County Council

Planning Register Reference Number: 18863

APPEAL by Roisin and Brendan McVerry care of Steven Peck Chartered Town Planner of Chestnut Cottage, Commons Road, Dromiskin, County Louth against the decision made on the 19th day of July, 2019 by Louth County Council to refuse permission.

Proposed Development: Construction of a new dwelling house and associated site works at 15 Village Green, Blackrock, Dundalk, County Louth.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

1. The proposed infill development, by virtue of its depth, height, massing and its proximity to the western boundary, would adversely impact the visual and residential amenity of neighbouring dwelling number 14 Village Green by way of overbearing impact. Such development would be contrary to Section 6.6.7 of the Dundalk and Environs Development Plan 2009-2015, which requires that the design, orientation and massing of the proposed development shall not cause any unacceptable overbearing on existing dwellings. The proposed development would be contrary to the zoning objective of the site which seeks 'to protect and improve existing residential amenities' and would, therefore, not be in accordance with the proper planning and sustainable development of the area.
2. The position, size and design of the window opes on the western side elevation of the proposal at first floor level, coupled with their proximity to the western boundary, would result in perceived overlooking and loss of privacy of the garden and habitable rooms to the front and side of number 14 Village Green. Such perceived overlooking and loss of privacy would adversely impact the residential amenity of the occupants of this dwelling. Furthermore, the layout and design of the proposed roof terrace and its proximity to the northern and western boundaries would enable direct overlooking of the neighbouring dwellings to the north and west. Such development would be contrary Section 6.7.5 of the Dundalk and Environs Development Plan 2009-2015 which states that roof terraces and balconies are not acceptable where they would directly overlook neighbouring habitable rooms or rear gardens. The proposed development would, therefore, adversely impact the privacy and residential amenity of these neighbouring dwellings and would be contrary to the zoning objective of the site which seeks 'to protect and improve existing residential amenities'. The proposed development would,

therefore, not be in accordance with the proper planning and sustainable development of the area.

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.