



An
Bord
Pleanála

Board Order
ABP-309885-21

Planning and Development Acts 2000 to 2020

Planning Authority: Louth County Council

Planning Register Reference Number: 20722

Appeal by Eamonn McConvey care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin against the decision made on the 11th day of March, 2021 by Louth County Council to grant subject to conditions a permission to Tom and Carole MacGuinness care of P. Herr and Associates of Block 4, Level 3, Quayside Business Park, Mill Street, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of a second-floor balcony and alterations to previously approved windows sizes to the rear elevation and associated site development works, all at Sandymount, Blackrock, 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 nature, scale and design of the development proposed for retention and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the residential amenities of adjoining residential property, would not seriously detract from the visual amenities of the area or detract from the character of the area or protected views from this stretch of the R172 and would be consistent with the policies and objectives of the Louth County Council Development Plan, 2015 to 2021 and the Dundalk and Environs Development Plan, 2009 to 2015. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area. Furthermore, having regard to the limited nature and scale of the development proposed for retention, the Board concurred with the planning authority and concluded that no Appropriate Assessment issues arise as the development would not be likely to have a significant effect, either individually or in combination with other plans or projects on the Dundalk Bay Special Protection Area (Site Code: 004026) or any other European site.

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 18th day of February, 2021, 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. Within three months of the date of this permission, obscure glazed screens of a 1.8 metre height and a width that matches the full extent of the southern and northern sides of the second-floor level balcony, shall be erected and permanently retained thereafter. Details in this regard shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of orderly development and residential and visual amenities.

3. All surface water drainage disposal arising from the first-floor balcony, shall comply with the requirements of the planning authority for such works and services. Details in this regard shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this permission.

Reason: In the interest of public health.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this *16th* day of *August* 2021.

