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**Planning and Development Acts 2000 to 2022**

**Planning authority: Louth County Council**

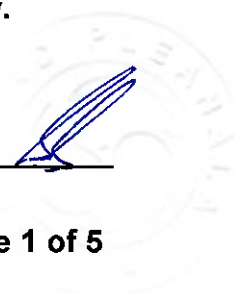
**Planning Register Reference Number: 23/195**

**Appeal** by Philip McKeivitt of Aehaboys, Mountpleasant, Dundalk, County Louth against the decision made on the 21<sup>st</sup> day of July, 2023 by Louth County Council to grant subject to conditions a permission to Lisa O'Neill care of Declan Flood, 38 Seafield Lawns, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** A two-storey extension and associated alterations to existing dwelling house, domestic garage, new wastewater treatment system, modular dwelling (for the duration of the house rebuild) at Millvilla, Mountpleasant, Dundalk, 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.**



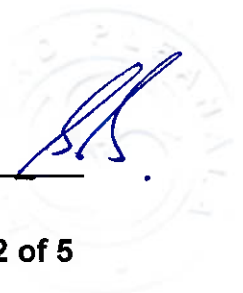
## Reasons and Considerations

Having regard to the provisions of the Louth County Development Plan 2021-2027, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development as proposed would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not have a significant impact on ecology or on European sites in the vicinity, and would otherwise 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 plans and particulars submitted to the planning authority on the 30<sup>th</sup> day of June 2023, 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 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 modular dwelling hereby permitted shall be occupied only for the duration of the construction works to the dwelling on the site. Within two years of a final grant of permission the modular dwelling shall be removed from the site. The modular dwelling shall connect to the wastewater treatment system hereby permitted on the site.

**Reason:** To ensure that the development shall be in accordance with the permission, and that effective control be maintained, and in the interest of public health.

3. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 17<sup>th</sup> day of April 2023 and the 30<sup>th</sup> day of June 2023, and in accordance with the requirements of the document entitled "Code of Practice – Domestic Waste Water Treatment Systems (p.e. ≤ 10)" – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of this grant of permission, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

**Reason:** In the interest of public health.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

5. The garage structure hereby permitted permission shall be used solely for use incidental to the enjoyment of the main dwelling and shall not be sold, rented or leased independently of the main dwelling and shall not be used for the carrying on of any trade, business or commercial/industrial activity. The structure shall not be used for the purposes of independent habitation.

**Reason:** To restrict the use of the garage in the interest of residential amenity.

6. Prior to commencement of development the developer shall agree in writing with the planning authority details of material finishes to the extension. Where proposed, roof slate shall be natural slate. Windows and doors shall be comprised of timber or metal, and not uPVC.

**Reason:** In the interest of visual amenity.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.



8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only 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 property in the vicinity.


**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *29<sup>th</sup>* day of *November* 2023.