



An  
Bord  
Pleanála

**Board Order**  
**ABP-317960-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 23105**

**Appeal** by Rorie McCann of 8 Oaklawns, Saint Alphonsus Road, Dundalk, County Louth and by others against the decision made on the 18<sup>th</sup> day of August, 2023 by Louth County Council to grant subject to conditions a permission to William Arrowsmith care of Joseph O'Doherty Architectural and Engineering Services of The Strand Field, Bellurgan, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission to relocate existing entrance to house 8B and to construct a new detached two storey dwelling house on site beside existing house 8B, with new entrance to public road, connection to public services and for all ancillary site works, all at 8B Oaklawns, Dundalk, County Louth, as revised by the further public notice received by the planning authority on the 28<sup>th</sup> day of July, 2023, where position of relocated entrance to 8B has been altered.

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## **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, to the location of the site within an established residential area and to the form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not pose a risk to traffic safety 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, 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 applicant or developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann prior to commencement of development.

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

3. (a) The external finishes shall be as specified in the documentation and plans submitted, unless otherwise agreed in writing with the planning authority prior to commencement of development.
- (b) All service cables associated with the proposed development (such as electrical, telecommunications and television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

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

4. Site development and building works shall be carried out only between the hours of 0800 and 1800 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 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.

5. 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. 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 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 An Bord Pleanála 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.

  
Stephen Brophy

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

Dated this 19<sup>th</sup> day of June 2024.