

An
Bord
Pleanála

Board Order
ABP-318711-23

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 2360122

Appeal by Anne Dearey of Blue House, Dundalk Street, The Liberties, Carlingford, County Louth against the decision made on the 17th day of November, 2023 by Louth County Council to grant subject to conditions a permission to Visit Carlingford Limited care of Padraig Herr and Associates of Block 4, Floor 3, Quayside Business Park, Mill Road, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention and completion of extensions and alterations to an existing dwellinghouse at ground and first floor level. Permission for a new second floor level extension and alterations to existing elevations and all associated site development works, all at Dundalk Street/Old Church Road, Carlingford, County Louth, as revised by the further plans and particulars received by the planning authority on the 26th day of October, 2023, which included a revised description as follows: retention and completion of extensions and alterations to an existing dwellinghouse (which has been partially reconstructed) at ground and first floor level, permission for a new second floor level extension and alterations to existing elevations and all associated site development works.

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, including those regarding the protection of architectural heritage, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development for which retention permission is sought, would not seriously injure the visual or historic character of the area, or of the Architectural Conservation Area, would not have an adverse impact on the residential amenity of neighbouring properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 26th day of October, 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 in writing with the planning authority prior to commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The 2nd floor level of the proposed extension to the rear shall be omitted and the roof pitch to the rear of the dwelling shall match the front. Revised plans and particulars showing compliance with this requirement shall be submitted to, and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

3. The property shall be used as a single family dwellinghouse only and shall not be used for any industrial or commercial purposes (including short-term letting) or individual room rental.

Reason: To protect the integrity of the property as a single dwelling unit and in the interest of preserving the residential amenity of the area.

4. Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

6. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority foul and surface water drainage plans for the proposed development showing the location of all drains, manholes, etc., located within the site boundary. The information shall include pipe sizes and gradients of pipes. Water supply and drainage infrastructure, including the attenuation and disposal of surface water, shall comply with the technical requirements of the planning authority. There shall be complete separation of the foul and surface water drainage systems.

Reason: In the interest of public health and in order to ensure adequate drainage provision.

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

Reason: In the interest of public health.

8. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

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


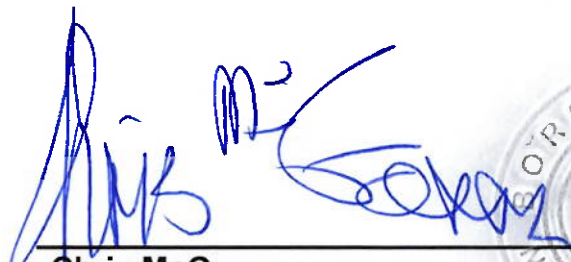
10. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.



11. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

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.



Chris McGarry

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

Dated this 24th day of June 2024