



An  
Bord  
Pleanála

Board Order  
ABP-319285-24

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## **Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 23111**

**Appeal** by Kim McKenna of 20 Father McCooey Terrace, Callystown, Clogherhead, County Louth against the decision made on the 15th day of February, 2024 by Louth County Council to grant subject to conditions a permission to Patrick Mulroy care of Foresight Design and Planning of Grangebellew, Drogheda, County Louth in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a dwellinghouse to the rear of 19 Father McCooey Terrace, connection into existing public sewer, new vehicular entrance onto Father McCooey Terrace with footpath crossing, demolition of part of 19 Father McCooey Terrace single storey dwellinghouse to facilitate new vehicular access, including all associated site development works, all at 19 Father McCooey Terrace, Callystown, Clogherhead, 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 Louth County Development Plan 2021-2027, Policy Objectives HOU 15, HOU 32 and CLOG 4, and to the Design Manual for Urban Roads and Streets (DMURS), it is considered that, subject to compliance with the conditions set out below, the proposed development for residential purposes of an underutilised backland site in an existing urban area would not adversely affect the character or seriously injure the residential amenities of the area or prejudice the safety and convenience of road users. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed 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 received by the planning authority on 26th January 2024, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of any other site preparation or construction works, full visibility shall be made available for at least 32.5 metres on either side of the proposed access from a point 2.4 metres back in from the edge of the road carriageway over a height of 1.05 metres above road level, as indicated on the approved site plan, drawing FSDP/PM/FI/01. These visibility splays shall be permanently retained and no impediment to visibility shall be placed, planted or allowed to remain within the visibility triangle.

**Reason:** In the interest of traffic safety.

3. Details of the materials, colours and textures of all the external finishes to 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.

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal 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 and residential amenity.

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

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

6. The developer shall enter into water and wastewater connection agreements with Uisce Éireann.

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

7. Site development and building works shall be carried out between the hours of 0800 to 1900 Monday to Friday inclusive, between 0800 and 1400 hours on Saturdays, and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the residential amenities of property in the vicinity.

8. All screening and landscaping works shall be completed within the first planting season following commencement of development in accordance with the approved site plan, Drawing FSDP/PM/FI/01. Any trees and hedging which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

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

9. 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 the 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 the Board 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.



Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 23<sup>rd</sup> day of September 2024.