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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 2460197.**

**Appeal** by Noel and Mariosa Brodigan care of Ger Fahy Planning of Mulhussey, Maynooth, County Kildare against the decision made on the 30<sup>th</sup> day of May, 2024 by Louth County Council to refuse a permission for the proposed development.

**Proposed Development:** Retention and completion of conversion and extension of previously permitted structure granted under planning register reference number 07/574 for incorporation into existing dwellinghouse for residential use. Proposed extension includes construction of a new corridor link, relocation of existing certified system and install new eco flo coco filter and polishing filter, together with all associated site development and infrastructure works; all at 'Taobh Coille', Coolfore, Monasterboice, 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 submissions made in connection with the application and the appeal and to the nature and scale of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would comply with Section 13.9.21 with respect to the provision of ancillary living accommodation as set out in the Louth County Development Plan 2021 – 2027, as varied, would not seriously injure the visual or residential amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

- 1 The development shall be carried out, completed and retained in accordance with the plans and particulars submitted with the planning application except as may be otherwise required in order to comply with the following conditions.

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

2 The development shall be amended as follows:

- (a) the proposed glazed link extension shall be retained, and
- (b) the attic space shall be converted back to storage space incidental to the main dwelling and is not permitted to be used as habitable space.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority within three months from the date of this order, and works to complete the conversion in accordance with agreed revised drawings shall be carried out with 18 months from the date of this order.

**Reason:** In the interest of visual amenity and to restrict the use of the extension in the interest of residential amenity.

3 The independent family unit for a family member(s) shall not be sold, let or otherwise conveyed as an independent living unit and shall revert to use as part of the main dwelling on the cessation of such use. The existing garden and curtilage of the overall residential property on this site shall not be subdivided.

**Reason:** In order to comply with the policy objectives HOU 41 and HOU 42 as set out in the Louth County Development Plan 2021 – 2027, as varied.

- 4 (a) The percolation/polishing filter area shall not be decommissioned and shall be retained in its current position as implemented under permission granted under planning register reference number 07/574.
- (b) The 8PE septic tank/ wastewater treatment system shall be relocated and no part of it shall be closer than seven metres to the converted garage, and installed in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021. Within 12 months from the date of this order, the applicant shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

**Reason:** In the interest of public health and to prevent water pollution.

- 5 Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Friday 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.

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

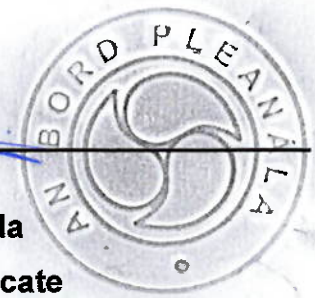
**Reason:** In the interest of public health and surface water management.

- 7 All service cables for the development (such as electrical, telecommunications and communal television) shall be located underground.

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

  
Liam Bergin

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



Dated this 18<sup>th</sup> day of November, 2024.