

An  
Bord  
Pleanála

**Board Order**  
**ABP-320495-24**

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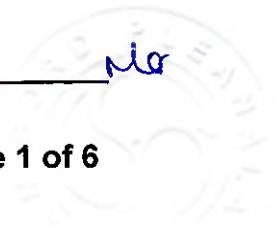
**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 2360296**

**Appeal** Cecil Sharkey of Strand Street, Clogherhead, County Louth against the decision made on the 11<sup>th</sup> day of July, 2024 by Louth County Council to grant subject to conditions a permission to Vincent and Philomena Matthews care of Bernard Dowdall Architects of Carrickedmond, Kilcurry, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of an existing single storey dwelling and domestic garage, replacement with a two-storey dwelling incorporating a domestic garage, revised boundary treatments and all associated site development works, all at Strand Street, Clogherhead, County Louth. The proposed development was revised by further public notices received by the planning authority on the 19<sup>th</sup> day of April, 2024, revisions included revised plans, sections and elevations, Heritage Impact Assessment, revised Appropriate Assessment screening report, revised drainage and SUDS report and other clarifications.



## **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, as varied, and to the nature, 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 amenities of the area or the amenities of adjoining properties, and 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 further plans and particulars received by the planning authority on the 19<sup>th</sup> day of April, 2024 and the 25<sup>th</sup> day of June, 2024, and further plans and particulars received by An Bord Pleanála on the 5<sup>th</sup> day of September, 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. The existing wall on the southern boundary shall be raised by 600 millimetres. The wall shall be plastered on both sides and capped to match the existing, or a new 1.8-metre-high concrete block wall shall be constructed adjacent to the southern site boundary. The wall shall be plastered on both sides and capped.

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

3. 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.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed landscape plan shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established.

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

5. The glazing to all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

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

6. The flat roofs of the dwelling shall not be used as a balcony/terrace or other form of amenity space without a prior grant of planning permission.

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

7. 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.

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

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

9. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including hours of working, noise, dust and surface water run-off management measures.

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

10. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of reducing waste and encouraging recycling.

11. 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.

*Mary Gurríe*

Mary Gurríe

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this *05* day of *December* 2024.