



An  
Bord  
Pleanála

## Board Order ABP-321157-24

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 2460462**

**Appeal** by Kieran Quigley of 50 Market Street, Dundalk, County Louth and by Market Street Residents care of Aidan Wiseman of 49 Market Street, Dundalk, County Louth against the decision made on the 4<sup>th</sup> day of October, 2024 by Louth County Council to grant permission subject to conditions to Zain Ul Abdin care of Paul Reilly Building Surveyors of 10 Springfield Manor, Red Barns Road, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (1) The demolition of an existing single-storey extension to the rear of the dwelling house, and the replacement of same with a two-storey extension; (2) a first floor extension over the single-storey annex to the side of the property; (3) alterations to the external facades of the dwelling house along Market Street and Defenders Row; and (4) demolition of the existing outbuilding to the rear garden inclusive of all associated site development works at 46 and 48 Market Street, Dundalk, 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 provisions of the Louth County Development Plan 2021–2027, the zoning of the site, and to the pattern of development in the vicinity, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the character of the area or the residential or visual amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. The proposed development 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 proposed development shall be amended as follows:

- (a) The first floor of the proposed rear extension at numbers 46 and 48 Market Street, shall be omitted and the rear extension shall be limited to a single storey on the proposed ground floor footprint to the rear of the dwelling. The overall height of the single storey extension shall not exceed 2.6 meters. Revised drawings to a suitable scale showing compliance with these requirements and alterations to facilitate these amendments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) The garden room proposed in the response to the grounds of appeal is not permitted.

**Reason:** In the interest of residential amenity of adjacent property, in the interest of the residential amenity of the future occupants and to clarify the plans and particulars for which permission is granted.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no further development shall be erected on the site, without a prior grant of planning permission.

**Reason:** In the interest of provision of adequate open space and residential amenity on a compact site.

4. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

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

5. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

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

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

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

7. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 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 amenity of property in the vicinity.

8. 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 development, including noise and dust management measures and off-site disposal of construction/demolition waste.

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



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**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board**

Dated this 20<sup>th</sup> day of February 2025