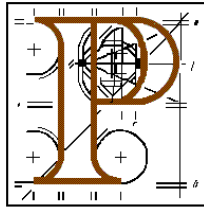


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

Tipperary County

Planning Register Reference Number: 14/510097

An Bord Pleanála Reference Number: PL 22.243474

APPEAL by Aoife McGloin care of Brendan McGrath and Associates of Riverstown Cottage, Corrofin, County Clare against the decision made on the 20th day of May, 2014 by North Tipperary County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The construction of a two-storey private dwellinghouse, with garage and ancillary site development works, accessed from an existing entranceway on the Ballina Quay, Ballina, County Tipperary.

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.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the existing pattern of development in the area, the zoning of the site and the provisions of the Ballina Settlement Plan, 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 of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the submissions on file, and to the Inspector's assessment, which is noted, the Board completed a screening exercise for appropriate assessment of the impacts of the proposed development on nearby European sites. The Board concluded that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the European sites, having regard to the conservation objectives of these sites.

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. 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. The roof colour of the proposed dwelling shall be blue-black.

Reason: In the interest of visual amenity.

3. The site shall be landscaped in accordance with an overall scheme of landscaping, details of which shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of orderly development.

5. 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 interests of visual and residential amenity.

6. The entrance to the site shall be located in accordance with the detailed requirements of the planning authority. Surface water arising from the site shall not be permitted to drain onto the adjoining road. The wing walls forming the entrance shall not exceed one metre in height and shall be constructed of sod and stone material similar to the roadside boundary.

Reason: In the interest of traffic safety.

7. 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.

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

Dated this day of 2014.