



Board Direction

Ref: 08.247117

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13th, December 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the reasons and considerations and subject to the conditions as set out below.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the current Kerry County Development Plan, 2015-2021, and the Caherciveen, Waterville & Sneem Functional Areas Local Area Plan, 2013-2019, the location of the subject site within the established development boundaries of Waterville and the existing established use of the lands immediately adjacent to the subject site, the pattern of existing and permitted development in the vicinity and having regard to the information submitted as part of the planning application together with the information submitted in the appeal, the Board is satisfied that the proposed development for the construction of two houses, generally accords with the policy requirements of the Development Plan and Local Area Plan. It is further considered that the design, scale and finish of the proposed works, would not seriously injure the visual or residential amenities of the area, would not represent a traffic hazard and 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 points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The houses shall be occupied as permanent, year round residences only and shall not be used as holiday homes or second homes.

Reason: In the interests of compliance with the policy objectives of the Local Area Plan and the proper planning and sustainable development of the area.

3. The external finishes, including roofs, shall match those of the existing residential development to the west.

Reason: In the interests of visual amenity.

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

Reason: In the interest of public health.

5. Finished floor levels shall not be more than 300mm above the existing ground level, as measured from the existing lowest point. Full details shall be submitted to and agreed in writing with the Planning Authority prior to commencement of any development on site.

Reason: In the interest of visual amenity.

6. The sites shall be landscaped and planted in accordance with a comprehensive scheme to comprise predominantly native species and varieties and to include proposals for boundary and plot dividing hedges consisting of a variety of native plants. Details in this regard shall be submitted to and agreed with the planning authority prior to commencement of development and the scheme shall be completed to the satisfaction of the planning authority within six months of the first occupation of the dwellings.

Reason: In the interest of visual amenity.

7. Rear garden boundaries shall consist of concrete block walls 1.8m high rendered and capped.

Reason: In the interest of visual and residential amenity.

8. Public lighting and footpath shall be provided in accordance with a scheme, which shall be submitted to and agreed in writing with the planning authority before development commences.

Reason: In the interest of amenity and public safety.

9. All service cables associated with the proposed development (such as electrical, telecommunications, communal television, and street lighting cables) shall be located underground. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

10. Notwithstanding the provisions of the Planning and Development Regulations, 2001, the proposed dwellings shall not be used for Bed and Breakfast or for any other form of paying guest accommodation.

Reason: In the interest of residential amenity.

11. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place on the site without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

12. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

13. 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.

Board Member: _____ Date: 13th, December 2016
Paddy Keogh