



An
Bord
Pleanála

Board Direction
PL06F.247453

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 23rd 2017.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the pattern of development in the vicinity of the site and to the nature, scale and extent of the proposed development, and having regard to the provisions of the current Development Plan for the area, it is considered that the proposed development, subject to compliance with the conditions set out below, and in particular the modifications to the proposed development in condition number 2 of this order, would not seriously injure the residential amenities of property in the vicinity, would comply with the provisions of the Development Plan, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board agreed with the Inspector that the first floor of the proposed extension would have an overbearing impact on the adjoining property to the north-east (that of the appellants) and would seriously injure the residential amenities of that property, but was of opinion that the ground floor of the proposed extension would not have a similar impact. Accordingly, the Board considered that the Inspector's concerns could be adequately dealt with by the omission, by condition, of the first floor extension, in the context of a grant of permission for the ground floor of the proposed extension.

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 section of the proposed development shall be omitted, and the proposed layout of the ground floor of the dwelling shall be altered to provide a revised location of the stairs internally within the existing dwelling, or alternatively provide for the retention of the existing stairs to the first floor.
 - (b) The proposed side gate shall be reduced to a maximum height of 2 metres.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of protecting the residential amenities of adjoining property, as it is considered that the proposed first floor extension, by reason of its height, bulk and location, would seriously injure the residential amenities of adjoining property to the north-east (marked as "property C" on submitted drawings), and in the interests of visual amenity.

3. Details of the external finishes of the proposed development, as modified by condition number 2 of this order, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The replacement roof tiles shall be the same colour as those on the roof of the adjoining property to the south-west (marked as "property A" on submitted drawings).

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 public health.

5. Site development and building works shall be carried only out between 08.00 hrs and 18.00 hrs Mondays to Fridays excluding bank holidays and between 08.00 hrs and 13.00 hrs on Saturdays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of protecting the residential amenities of adjoining properties.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of clarity, orderly development and amenity.

7. S.48 (unspecified)

Board Member _____

Date: 23rd January 2017

Philip Jones