



An
Bord
Pleanála

**Board Direction
PL06F.248106**

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 31st 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, 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 and to the nature and scale of the proposed development, and having regard to the policies set out in the current Development Plan for the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would not injure the visual amenity of the area and would otherwise accord with the provisions of the Development Plan. 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 ground floor bathroom window on the southern elevation shall be permanently glazed in opaque glass.

Reason: In the interest of residential amenity.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extensions shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: In the interest of residential 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. Details of the means by which the existing combined sewer beneath the proposed rear extension is to be protected and maintained shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public health.

5. Details of materials, colours and textures (including samples) of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The front elevation may be entirely finished in render.

Reason: In the interest of visual amenity.

6. 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 the 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.

Note: The Board noted the changes to the development that were suggested by the applicants in their response to the appeal, which had not been adverted to by the Inspector in his report. However, the Board did not consider that any alteration to the roof of the two storey extension was necessary, and considered that any issue relating to the combined sewer beneath the proposed rear extension could be adequately dealt with by condition, and did not require the setting back of the rear extension – Board condition number 4 refers. Furthermore, the Board did not concur with the Planning Authority in relation to any requirement for brick finish to the front elevation, having regard to the variety of external finishes in the area – Board condition number 5 refers.

[Please issue a copy of this Direction to the parties with the Board Order]

Board Member

Date: 31st May 2017

Philip Jones