



An  
Bord  
Pleanála

**Board Direction**  
**BD-003185-19**  
**ABP-303421-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/05/2019.

The Board decided to grant permission for retention 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 zoning objective for the area as set out in the Gorey Town & Environs Local Area Plan 2017 – 2023, the established pattern of development in the area and the nature, scale and design of the extension for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought, would not seriously injure the residential amenities or the visual the amenities of the area and would therefore be generally in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be retained 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 and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity

2. The granny flat extension at ground floor and the first floor rear bedroom shall be used solely for that purpose. The granny flat shall revert to use as part of the main dwelling on the cessation of such use.

**Reason:** To protect the amenities of property in the vicinity.

3. 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 within 2 months of the date of the Board Order 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:** 31/05/2019

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Michelle Fagan