



An
Bord
Pleanála

Board Direction
BD-004136-19
ABP-304737-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/09/2019.

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 design, scale and finish of the proposed extension at roof level, and to the nature of the proposed internal works and external staircase, to the size of the overall subject site and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or residential amenities of property in the vicinity, would not be inconsistent with the broad mix of architectural design and form in the wider environs and would not adversely impact on the character of the Killiney Architectural Conservation Area. 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 noted that the environs of the subject site, comprises a broad range of house type, sizes and design forms, with varying curtilages and significant landscaping, including tree cover elements, within and adjoining properties and that this broad range of house styles is noted within the report of the Killiney Architectural

Conservation Area. The Board therefore determined that the scale of the proposed roof level extension could be readily absorbed into this area without any adverse impact on visual amenity of conservation policy and that the distance of the extension to the site boundaries with other properties and the proposed form of the extension, would not lead to any significant adverse impact on residential amenity.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may 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 the 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 development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. 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.

4. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. 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: 27/09/2019

Chris McGarry