



An
Bord
Pleanála

Board Direction
BD-006106-20
ABP-306935-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/07/2020.

The Board decided to make a split decision, generally in accordance with the Inspector's recommendation, to:

- a) grant permission, for the reasons and considerations marked (1) below and subject to the conditions set out below, for the demolition of the existing outbuildings to the side and the rear garage, construction of a new two-storey extension to the side and rear of the existing dwelling, external insulation, replacement of existing windows, erection of a new front porch, alterations to existing dormer windows to front and rear, installation of new Velux-type window in the front roof, some internal alterations and associated site works,

and
- b) refuse permission for the two-storey detached garage and one-bed apartment unit in the front garden, for the reasons and considerations marked (2) below.

Reasons and Considerations (1)

Having regard to the scale and design of the extension and alterations proposed to the existing two-storey dwelling, which have adequate regard to the design, scale and proportions of the existing dwelling, the character of the area and its designation as an Architectural Conservation Area, it is considered that, subject to compliance with the conditions set out below, this element of the proposed development would

be acceptable in the context of the visual amenities of the area and the amenities of adjoining properties. The proposed development would, therefore, be consistent with the proper planning and sustainable development of the area.

Conditions

1. This element of 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. 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.

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 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.

Reasons and Considerations (2)

Having regard to the location of the proposed two-storey garage/apartment unit in the front garden of the existing dwelling, the established pattern of development and the requirements of Section 8.2.3.4 (iii) of the County Development Plan in relation to 'Family Member/Granny' Flat Extensions, it is considered that this element of the proposed development would be contrary to the established pattern of development, would have an unacceptable impact on the character of the designated Architectural Conservation Area, and would provide for an independent residential unit within the curtilage of an existing dwelling, contrary to development plan policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for a similar pattern of development in the area.

Board Member:

Date: 20/07/2020

Dave Walsh