

An
Bord
Pleanála

Board Direction
BD-014379-23
ABP-314368-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/10/2023.

The Board decided to make a split decision, to

- (1) grant permission (subject to conditions) for the retention of utility room and sunroom, the construction of access, boundary treatment, garage and associated sites works.

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

- (2) refuse permission for retention of fibreglass flagpole.

for the reasons and considerations marked (2) under.

(1) Reasons and Considerations

Having regard to

- the significant curtilage and setbacks afforded to Lakeview House, a Protected Structure, it is considered the revised access arrangements and new northern site boundary will not detract from the heritage value of the dwelling or the streetscape,

- the revised access arrangements would be generally acceptable in terms of traffic safety and convenience.
- The scale, design and specification associated with the new extensions and additions are in keeping with the architectural integrity and scale of the primary dwelling on the site

It is considered the proposed development and retention of the sunroom and utility room will not detract from the visual or residential amenities of the area, and the proposed new access arrangements will be acceptable in traffic safety terms, and would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out 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. Details of the materials, colours and textures of all the external finishes to the proposed extensions and additions to the existing dwelling house (Lakeview House, a Protected Structure) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the protection of a Protected Structure.

3. 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 8am to 7pm Mondays to Fridays inclusive, between 9am to 2pm 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. 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

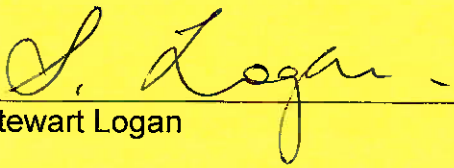
6. The proposed garage shall be used solely for purposes incidental to the permitted dwelling house on site. It shall not be sold, let or otherwise transferred or conveyed, or used for any commercial or retail purpose save following a grant of planning permission for such use.

Reason: To ensure that the structure is used solely in conjunction with the residential use on site.

(2) Reasons and Considerations

1. It is considered that the fibreglass flagpole proposed for retention would adversely affect the Millmount Road Architectural Conservation Area identified in section 14.8 of the Westmeath County Development Plan 2021-2027 and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member:


Stewart Logan

Date: 01/11/2023