

An
Bord
Pleanála

Board Direction
BD-015600-24
ABP-317779-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/02/2024.

The Board decided to make a split decision, to

- (1) grant permission for retention of the relocated WWTS and permission for a new roadside boundary fence, revised setback position of entrance piers, splays, automatic entrance gate and associated works.

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

- (2) refuse permission for the as constructed garage

for the reasons and considerations marked (2) under.

(1) Reasons and Considerations

Having regard to the nature of the development proposed and proposed for retention, the planning history relating to the site, it is considered that the development, subject to compliance with the following conditions, would be acceptable in terms of traffic safety and public health, would not have an adverse impact on the amenities of adjoining property, and would be in accordance with the proper planning and sustainable development of the area

Conditions

1. The development shall be carried out and completed, and retained in accordance with the plans and particulars lodged with the application on 14th April 2023, and Further Information submitted on 22nd June 2023, 27th June 2023 and 30th June 2023, 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 proposed entrance configuration shall be amended as follows:

- The piers at the pedestrian gate shall be setback a minimum distance of 5 metres from the near edge of the adjoining carriageway
- The face of the existing western boundary with the adjoining dwelling shall be setback a minimum of 5 metres from the near edge of the adjoining carriageway
- No physical obstruction shall be retained or erected within 5m from the near edge of the adjoining carriageway

Revised drawings, incorporating these requirements, shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interest of public and traffic safety.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of public health.

4. This permission is subject to the governing permission, Planning Reference 16/717, except where departure from the terms of that permission is authorised by this permission.

Reason: In the interests of clarity and orderly development.

5. The 3.0m grassed area and 1.0m gravel area adjoining the front boundary of the site shall be maintained by the landowner. Details in this regard shall be agreed with the planning authority prior to the commencement of development.


Reason: In the interest of public and traffic safety, and orderly development

(2) Reasons and Considerations

1. Having regard to the excessive scale, bulk and floorspace of the domestic garage proposed for retention, the Board considered that the development would seriously injure the visual and residential amenities of the area and would set an undesirable precedent for similar type developments that would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree that the garage did not impact of the visual and residential amenities of adjoining property and property in the area.

Board Member:



Stewart Logan

Date: 01/03/2024