



An
Bord
Pleanála

Board Direction
BD-015856-24
ABP-317898-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/03/2024.

The Board decided to make a split decision, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

To Grant permission, for the following reasons and considerations and subject to the following conditions for the development as described:

- 1. retention of alterations and extension to existing dwelling as constructed including associated site works,**
- 2. retention of the existing shed as constructed, and associated site works.**

Reasons and Considerations (1)

Having regard to the permitted residential development on the site and the nature and extent of the development, it is considered that subject to the conditions set out below, the retention of the development as proposed including (a) the retention of the property within the revised site boundaries, (b) the retention of extensions and alterations to the dwelling, (c) the retention of the existing shed, and (d) the retention of the secondary vehicular access to the site would not detract from the visual amenities of the area, and would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

And refuse permission for permission to construct a dry-stone boulder wall along part of the riverbank for Reasons and Considerations (2)

Reasons and Considerations (2)

(1) It is considered that the retention of the decorative garden wall along the western boundary of the site would materially contravene Condition No. 1 of the parent permission granted under Register Reference No 78/2476 relating to the required separation distances to the public sewer and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board also considered that insufficient information for screening out Appropriate Assessment and details of construction to date and proposed works had been submitted and in the absence of an invasive species management plan and a hydrological impact assessment and that the application but given the substantive reason for refusal above, did not pursue the matter further.

Conditions

1.	<p>The development shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 13th day of July 2023 except as may otherwise be required in order to comply with the following conditions.</p> <p>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</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>The shed shall be used for private domestic purposes only and shall not be used for commercial, industrial purposes or for the housing of animals.</p> <p>Reason: In the interest of residential amenity.</p>
3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p>Reason: In the interest of public health.</p>
4.	<p>Within one month of the date of this Order, the applicant shall submit proposals for written agreement with the planning authority to provide a hedgerow along the western boundary of the site. Planting shall include native indigenous species only. A timescale for implementation shall be agreed with the planning authority.</p> <p>Reason: In order to provide protection from the river and improve biodiversity along the riverbank.</p>
5.	<p>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.</p>

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.

Board

Date: 19/03/2024

Member:



Liam Bergin