

An
Bord
Pleanála

Board Direction
BD-016800-24
ABP-318407-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/06/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the Carlow County Development Plan 2022-2028, including the Protected Structure status of the main house, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with the family flat requirements contained in section 16.8.14 of the Development Plan and would not seriously injure the heritage or residential amenities of the area, or create an undesirable precedent for similar development in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 21st August 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 converted garage shall be jointly occupied as a single integrated residential unit with the main dwelling and the family flat shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the converted garage in the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes of the proposed link structure shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

5. Site development and building works shall be carried out only between the hours of 0800 and 1900 from 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.

6. The car port to be retained shall be solely for domestic use incidental to the enjoyment of the main dwelling and shall not be used for the carrying on of any trade or business.

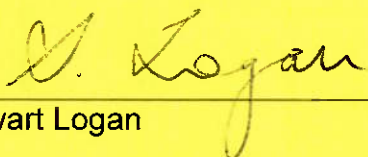
Reason: To prevent unauthorised development

7. The developer shall pay to the planning authority a financial contribution

of 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. The application of any indexation required by this condition 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.

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


Stewart Logan

Date: 21/06/2024