

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Waterford City and County

Planning Register Reference Number: 15/649

An Bord Pleanála Reference Number: PL 93.246351

APPEAL by Paul Smith and others care of Peter Thomson Planning Solutions of Suite 1, Burchall House, Parnell Street, Waterford against the decision made on the 25th day of February, 2016 by Waterford City and County Council to grant subject to conditions a permission to Waterford Intellectual Disability Association care of James Reynolds and Associate of 8 Bridlewood, Collins Avenue, Dunmore Road, Waterford City in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use from residential to a community based respite home for people with intellectual disabilities, together with planning permission for the construction of new single storey extensions to the east and western side of the existing building, along with internal alterations, elevational changes, a new vehicular entrance with provision of on-site car parking spaces and new accessible ramped approach, connection to existing services and all associated site works, all at Number 37 Summerville Avenue, Waterford, as revised by the further public notice received by the planning authority on the 9th day of February, 2016.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature, design and scale of the proposed development and the pattern of development of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the residential zoning objective for the area, as set out in the Waterford City Development Plan 2013 – 2019, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars submitted the 2nd day of February, 2016, 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 development shall be amended as follows:
- (a) The vehicular entrance shall be as proposed with the application on 13th November 2015. Car parking shall be restricted to a maximum of two car park spaces, and one disabled car park space only. These spaces shall be re-oriented to retain the maximum existing garden area to the west of the building as well as boundary hedgerows to the site.
 - (b) The proposed ramp shall be re-located closer to the building to avoid loss of the existing boundary hedgerow and to avoid damage to roots. Supplementary trees and hedgerow shall be planted if necessary within the next planting season following completion of construction, to the written satisfaction of the planning authority.
 - (c) Provision shall be made for appropriately screened bin stores.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenity of this property and of the area, and the residential amenity of future occupants.

3. The external finishes of the proposed extension (including roof tiles/slates, boundary treatments, gates and driveway) shall be the same as those of the existing dwelling in respect of colour, materials and texture. Samples of proposed materials, including those for the access ramp and handrails, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To harmonise with the character of the existing house.

4. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the streetscape, in the interest of visual amenity.

5. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the respite home without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the home.

6. Water supply and drainage arrangements, including the attenuation and 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.

7. 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, Bank or 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 amenities of property in the vicinity.

8. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.