

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Sligo County

Planning Register Reference Number: PL 16/228

An Bord Pleanála Reference Number: PL 21.247132

APPEAL by Adam Kiely and Olivia Lynch of 33 Oyster Bay, Rosses Point, County Sligo against the decision made on the 26th day of July, 2016 by Sligo County Council to grant subject to conditions a permission to Seamus and Eiteain Monaghan care of JS Architectural Services of Office 4, Airport Business Park, Strandhill, County Sligo in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a storey and a half dormer dwelling, together with all associated site works at Ballyweelin, Rosses Point, County Sligo.

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 provisions of the Sligo County Development Plan 2011 – 2017 and to the zoning of the subject site for residential uses within the Rosses Point Mini-Plan, and having regard to the pattern of development in the vicinity, and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health and would be acceptable in terms of pedestrian and traffic safety. 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, 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 finished floor level of the proposed dwellinghouse shall not exceed 98.0 metres O.D.
 - (b) The proposed first floor window on the western elevation serving the master bedroom shall be omitted.
 - (c) The height of the proposed boundary wall along the western site boundary shall be increased to a height of 1.8 metres for a distance of 20 metres measured from the southern site boundary.

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 residential amenity.

3. The external finishes of the proposed dwelling shall be consistent with those of the existing dwellings in the Oyster Bay residential development to the north of the site. In that regard, the developer shall submit to, and agree in writing with, the planning authority a sample of the stone cladding proposed to be used at specified locations on the elevations and a sample of the slate finish to the roof. The roof colour shall be blue/black or slate grey only, including ridge tiles.

Reason: In the interest of visual amenity.

4. The layout of the vehicular entrance, including the provision of a footpath, kerbing and surface water drainage at the front of the site, shall be in accordance with the detailed requirements of the planning authority for such works.

Reason: In the interests of amenity and of pedestrian and traffic safety.

5. Water supply and 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.

6. All foul sewage shall be discharged to the public sewer. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority, detailed design proposals for the connection to the existing foul sewer located to the north of the site in the Oyster Bay development. The detailed design proposals shall include proposals in relation to the pump, rising main and connection via the existing manhole in the Oyster Bay development.

Reason: In the interest of public health.

7. 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, as amended. 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

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.

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

Dated this day of 2016.