

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Waterford City and County

Planning Register Reference Number: 16/571

An Bord Pleanála Reference Number: PL 93.247740

APPEAL by Enda and Caroline Kiernan care of Liam Buck of Glen, Clonea, Dungarvan, County Waterford against the decision made on the 24th day of November, 2016 by Waterford City and County Council to grant subject to conditions a permission to Jamie Power of Mount Airy, Knockmahon, Bonmahon, County Waterford in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Partial demolition of existing two-storey semi-detached buildings and construction of a new one and a half storey extension to the same. Demolition of existing rubble stone wall and construction of a new rustic stone wall to surround the new dwelling along with all associated site works and drainage at Mount Airy, Knockmahon, Bonmahon, County Waterford. The proposed development was revised by further public notices received by the planning authority on the 10th day of November, 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 location of the site on residentially zoned lands and to the compliance with the development standards set out in the Waterford County Development Plan 2011-2017, 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 or of property in the vicinity. 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 on the 3rd day of November, 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 western elevation shall be redesigned to reduce the extent of glazing and shall contain one French door (1.9 metres wide by 2.1 metres high) at ground floor level and a single rectangular window at first floor level with width of 1.9 metres and head and cill level the same as the adjacent window on this elevation.
 - (b) Windows on the eastern and northern facades at first floor level shall be permanently glazed with opaque glazing.
 - (c) All roof barges shall be removed.

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 visual and residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed extension 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. 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.

5. Prior to commencement of development, a construction methodology statement indicating the means proposed during construction to ensure the protection of the fabric of the feature listed on the National Inventory of Architectural Heritage register reference 22812024 which refers to the pathway known locally as 'the back lane' shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of preserving the architectural integrity and heritage value of the retained structures.

6. 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 house without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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. 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 2017.