An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Waterford City and County

Planning Register Reference Number: 16/759

An Bord Pleanála Reference Number: PL 93.248056

APPEAL by Declan Butler care of Fewer Harrington and Partners of Studio 14, The Atrium, Maritana Gate, Canada Street, Waterford against the decision made on the 26th day of January, 2017 by Waterford City and County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of one number fully serviced single storey dwelling together with all associated site works to include new vehicular entrance, driveway, landscaping and boundary treatments at site number 5, Laoi na Mara, Coxtown East, Dunmore East, County Waterford.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 8(b) and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the existing and permitted site levels of the adjoining properties, and in particular the finished floor level required by the planning authority under permission planning register reference number 15/434 in respect of site number 3, and notwithstanding the levels originally indicated in the overall planning permission for this estate in 2000, it is considered that the lowering of the finished floor level of the subject house, as required by condition 8(b), is warranted in order to protect the residential amenities of adjacent properties and to provide for an appropriate gradation of finished floor levels in the interest of visual amenity.

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.

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

Dated this day of 2017.