

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Offaly County Council

Planning Register Reference Number: PL2/16/437

An Bord Pleanála Reference Number: PL 19.248175

APPEAL by Philomena Horan of John's Place, Birr, County Offaly against the decision made on the 21st day of February, 2017 by Offaly County Council to grant subject to conditions retention permission to Michael and Liz Nolan care of Joe Errity of Lisheen, Birr, County Offaly in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of existing single storey one bedroom residential unit in rear garden of premises and planning permission for change of use of same to domestic garage/fuel shed and all ancillary site works. This development is within the curtilage of a protected structure listed under the record of protected structures in the Birr Town and Environs Development Plan, all at John's Place (Townparks Townland), Birr, County Offaly.

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 Birr Town Plan 2010 - 2016 (extended to 2020), the nature and scale of the modifications proposed, the residential zoning of the area which provides for such ancillary uses and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposal would not seriously injure the residential amenities of the area or affect the character or setting of the Protected Structure and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The retention and proposed 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the proposed storage shall be not be used for habitation or the carrying on of any trade or business, unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of clarity and to protect the amenities of the adjoining property and property in the vicinity.

3. (a) The proposed 1.8 metres high block boundary wall and associated gates shall be omitted.
- (b) Any future boundary proposal shall be the subject of a separate planning application.

Reason: In the interest of visual amenity and to protect the character and setting of the protected structure.

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

Dated this day of 2017.