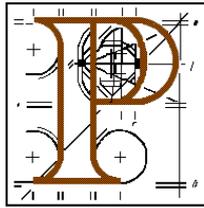


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Offaly County Council

Planning Register Reference Number: PL2/16/438

An Bord Pleanála Reference Number: PL 19.248177

APPEAL by Philomena Horan of Johns 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 refurbishment of previously deprecate coach house to one number residential unit and planning permission to complete same with 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 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 effect 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. (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.

3. The existing dwelling and coach house shall be jointly occupied as a single residential unit and the coach house shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the coach house in the interest of residential 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.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

5. A schedule and appropriate samples of all materials to be used in the external treatment of the coach house to include rooflights, roofing materials, windows, and doors shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development/conservation.

6. 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 commencement of 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.