



An
Bord
Pleanála

**Board Order
PL 93.249210**

Planning and Development Acts 2000 to 2017

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 17/135

Appeal by Jarlath Whitty of 6 Presentation Row, Slievekeale, Waterford City against the decision made on the 15th day of August, 2017 by Waterford City and County Council to grant subject to conditions a permission to John and Breda Coughlan care of Patrick O'Neill of 3 Bellevue Terrace, Tramore, County Waterford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Subdivision of site for the erection of a storey and a half detached dwelling house, along with associated site works including modifying existing entrance at 1 The Terrace, Cannon Street, Waterford.

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 pattern of development in the vicinity and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not injure the residential amenities of properties in the vicinity and would, therefore, be in accordance with the proper planning 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 27th day of April 2017 and on the 21st of July 2017, 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. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Revised proposals providing for the reduction and/or elimination of potential overlooking arising from the first floor bedroom windows on the east and west elevations shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any works on the site. These revisions may take the form of an external louvre system, angled windows or other design proposal agreed with the planning authority.

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

4. The existing mature hedgerow on the north-eastern boundary of the site shall be retained.

Reason: In the interests of visual and residential amenity.

5. Drainage arrangements, shall comply with the requirements of the planning authority for such works and services. Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 hours on Saturdays and not at all on Sundays, Bank or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

