

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Clare County Council

Planning Register Reference Number: P17/34

An Bord Pleanála Reference Number: ABP-300136-17

Appeal by Mary Gough care of Emer Butler Architects of Clonfadda, Killaloe, County Clare against the decision made on the 11th day of October, 2017 by Clare County Council to grant subject to conditions a permission to Cos Egan care of OBB Consulting Engineers and Surveyors of O'Brien's Bridge, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of three-storey residential building, connection to necessary services, boundary treatments and all associated site works at Royal Parade, Killaloe, County Clare, as amended by the further public notice received by the planning authority on the 27th day of June, 2017.

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 proposed development on a vacant site fronting Royal Parade in the centre of the town of Killaloe, within an area designated as an Architectural Conservation Area in the Killaloe Settlement Plan of the Clare County Development Plan 2017-2023, and to the design and layout of the proposed development, it is considered that, subject to compliance with the following conditions, the proposed development would not seriously injure the residential amenities of the area, would enhance the visual amenities of the streetscape and the Architectural Conservation Area and 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 12th day of June, 2017 and the 14th day of September, 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. Prior to the commencement of development, revised drawings and other details shall be submitted to, and agreed in writing with, the planning authority, demonstrating adequate floor to ceiling height at second floor, adequate cill height for windows at this level (subject to whatever other measures are proposed regarding means of escape from fire) and the provision of a wheelchair accessible WC, which details shall include, if necessary, an increase in the ridge height.

Reason: To ensure an adequate standard of accommodation.

3. (a) All external doors shall be of solid timber and shall be painted. All windows shall be of solid timber and shall be painted, and on the front elevation shall be up and down sliding sashes.
- (b) The roof shall be finished in natural quarry slate (salvaged or new) of black, dark grey or blue/black colour. The colour of the ridge tile shall be plain black and shall be of concrete or clay manufacture without raised edges or ribs.
- (c) The rainwater goods shall be affixed to an advanced eaves course of render or concrete without fascia or soffit. Details of rain water features, to include a front elevational drawing identifying same, shall be submitted to the planning authority for agreement prior to development commencing on site.
- (d) The proposed oriel window shall be wooden manufacture and covered with natural quarry tiles.
- (e) No changes are permitted to the agreed window sizes, materials or designs. No neo-Georgian style plastic glazing bars or other decorations are permitted. Cills shall be bull nosed 100 millimetres (4 inches) deep.
- (f) The gable verges shall be plastered to the underside of the slate, without under or over barges.
- (g) The side and front facings of dormer windows shall have a painted plaster finish.
- (h) No floodlighting of the proposed development is permitted.
- (i) The dummy/false chimneys shall be constructed of masonry and shall be no less than one metre wide, front to back.

Reason: In the interest of visual amenity and in order to ensure a standard of materials and finishes appropriate to this area.

4. The developer shall employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and should archaeological material be found during the course of the works, work shall cease, pending a decision as to how to deal with the archaeological findings. The developer shall be prepared to be advised by the Department of Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action (e.g. preservation in situ or excavation) and shall facilitate in the recording of any material found.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

5. 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 traffic management, noise management measures, number and size of vehicles accessing the site and disposal of demolition/construction waste.

Reason: In the interest of amenities, public health and safety.

6. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street is kept clear of debris, soil and other material and, if the need arises for cleaning works to be carried out on the public road/laneway, the work shall be carried out at the developer's expense.

Reason: To ensure that the adjoining street is kept clean and safe during construction.

7. The site and building works associated with the proposed development shall be carried out only between 0800 hours and 1800 hours Monday to Friday and between 0800 hours and 1400 hours on Saturdays. No development works shall take place on Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity.

8. 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 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. The application of any indexation required by this condition 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.

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 2018