



Planning and Development Acts 2000 to 2017

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 17/635

APPEAL by Eamonn and Christine Power care of Arran O'Shea of 43 Seacliff, Nymphall, Dunmore East, County Waterford against the decision made on the 19th day of October, 2017 by Waterford City and County Council to refuse permission.

Proposed Development: Construction of a split level dwellinghouse with an overall height of 3,732 millimetres and all associated site works at Circular Road, Dunmore East, County Waterford. The site is partly on lands that are within the curtilage of a protected structure.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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 planning history of the site, to the pattern of development in the vicinity of the proposed development including the close proximity of the development to the private amenity spaces serving adjoining residential properties, to the significant difference in levels between the site of the proposed development and the adjoining residential properties to the south and east, and to the details of the recently constructed high boundary walls, the Board considered that the proposed development would have an overbearing visual impact on the adjoining dwellings to the south and east and would, therefore, seriously injure the residential amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied that the proposed development including the high walls that have been constructed on site, would not have serious impacts on adjoining residential property to the south and east by reason of the overshadowing and the overbearing nature of the walls. Furthermore, and based on the documentation submitted, the Board is not satisfied that the walls as constructed along the south and east boundary are exempted development.

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

Dated this day of 2018.