

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Waterford City and County**

**Planning Register Reference Number: 17/407**

An Bord Pleanála Reference Number: ABP-300266-17

**APPEAL** by Andrew Hamill and Terri Hamill care of E Project Chartered Architects Limited of 21 Lower Main Street, Dungarvan, County Waterford against the decision made on the 26<sup>th</sup> day of October, 2017 by Waterford City and County Council to refuse permission to the said Andrew Hamill and Terri Hamill in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a new single and two storey extension to an existing dwelling including integrated garage, the demolition of an existing outbuilding, new replacement wastewater treatment system and all associated site works, all at Bayview Cottage, Clashanahy, Whiting Bay, County Waterford as amended by the revised public notice received by the planning authority on the 6<sup>th</sup> day of October, 2017 providing for construction of a new single storey extension and all associated site work.

## **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 presence of an existing dwelling on the site and the provisions of the current Waterford County Development Plan and adopted variations, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the 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 to the planning authority on the 2<sup>nd</sup> day of October, 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. The proposed extension shall be constructed in accordance with the details submitted to the planning authority on the 8<sup>th</sup> day of June, 2017 subject to the following amendment. The southern elevation of the western block shall be revised to provide for the omission of the large single glazing area indicated for the dining room area at ground floor level and replacement by two windows with a vertical emphasis and a render panel located between the windows. The proposed development shall also provide for the reduction of the glazing at first floor level on the southern elevation to provide for windows with a strong vertical emphasis. Revised proposals showing compliance with this amendment 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. 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

4. The roof colour of the proposed development shall be blue-black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof.

**Reason:** In the interest of visual amenity.

5. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details submitted to the planning authority on the 2<sup>nd</sup> day of October, 2017. Prior to the commencement of any development works on the site, the applicant shall submit to, and agree in writing with, the planning authority the following:

- (a) details relating to the planting proposed including species, and
- (b) a timescale for the implementation of the planting and landscaping.

**Reason:** In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

6. The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009.

**Reason:** In the interest of public health.

7. 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. 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.

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

**Dated this                      day of                      2018.**