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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Cavan County Council**

**Planning Register Reference Number: 17/512**

**Appeal** by Ronan and Pauline Flood of 1 Hillview, Drumahurk, Butlersbridge, Cavan against the decision made on the 5<sup>th</sup> day of February, 2018 by Cavan County Council to grant subject to conditions a permission to Eileen and Colm Murphy care of DMC Architects Limited of 21 Church View, Cavan, County Cavan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** To erect single storey kitchen and living room extension to rear of dwelling, erect 1st floor bedroom extension to side of dwelling, also to carry out modifications to entrance porch and associated alterations to all elevations. Also, permission is sought to retain existing sunroom extension to side of dwelling and to retain the detached domestic garage, all at existing residence.

Drumahurk, Butlersbridge, County Cavan.

## **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 condition(s) 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 nature, scale and design of the proposed development and the development proposed to be retained and noting the orientation and separation distances which would result, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of adjoining properties or that no unacceptable impact on the nature of the surrounding area would occur. Furthermore, the proposed development and the development proposed to be retained would not interfere with the existing character of the dwelling itself or render the extended dwelling out of character with its rural setting. The proposed development and development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and retained 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. (1) The external finishes of the proposed extension shall harmonise with those of the existing dwelling in respect of colour and texture.  
  
(2) The windows proposed shall be simple in form with straight edges. No curved windows shall be permitted.

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

3. The domestic garage shall be used solely for non-habitable ancillary domestic and private purposes only which are ancillary to the enjoyment of the house.

**Reason:** In the interest of orderly development.

4. Water supply and drainage arrangements, including attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

5. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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

**Dated this                      day of                      2018.**