



Planning and Development Acts 2000 to 2018

Planning Authority: Sligo County Council

Planning Register Reference Number: PL 17/234

Appeal by David Lenehan care of Brock McClure Planning and Development Consultants of Manulla, Castlebar, County Mayo against the decision made on the 8th day of February, 2018 by Sligo County Council to grant subject to conditions a permission to C.J. Martin Construction Limited care of Eugene O'Neill Architect of 5 Union Street, Sligo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Alteration and extension of existing house and for its conversion to two semi-detached houses, one new detached house and two new semi-detached houses, to block up existing entrance and for new access to public road and associated site development works at Strandhill Road, Ballydoogan, Sligo.

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 provisions of the Sligo County Development Plan 2017-2023, the Sligo and Environs Development Plan 2010-2016 (as amended), and the existing pattern of development in the area, in addition to the nature and scale of the proposed development of five residential units, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience and would not seriously injure the amenities of the area or of property in the vicinity. The proposed development 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 received by the planning authority on the 16th day of January 2018, 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 development shall be amended as follows:
 - (a) Design of dwelling numbers two and three shall be as per the design submitted to the planning authority on the 15th day of June 2017, as indicated on drawing titled 'existing house redeveloped numbers 2 and 3'.
 - (b) The leylandii trees along the northern section of the eastern site boundary shall be removed and replaced with a 1.2 metre high boundary wall, capped and plastered on both sides. The remaining eastern boundary, to the side and rear of house number one, shall comprise a two metre high wall, capped and plastered on both sides.
 - (c) The leylandii trees along the northern boundary shall be removed and the northern boundary wall lowered in height, in line with the adjoining property to the east, or to a height required to meet visibility requirements, whichever is the lesser.

- (d) A revised landscaping plan shall be submitted which shall include provision for native tree/hedgerow planting along the eastern and northern boundaries of the site. All planting shall be carried out within the first planting season following completion of the development.
- (e) Details of the layout, the materials, and external finishes of all boundaries to the site, where being amended, and all screen walls/fences between the dwellings shall be submitted to, and agreed in writing with, the planning authority.

Revised drawings showing compliance with these requirements 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. This permission is for five residential units only.

Reason: In the interest of clarity.

- 4. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

- 5. The developer shall comply with the requirements of the planning authority in relation to works on the public road and boundary treatments and the developer shall submit the following:

- (a) A Project Traffic Management Plan for all stages of construction traffic shall be agreed in writing with the planning authority prior to commencement of development. The plan shall detail new site

access arrangements for labour, plant and materials and shall indicate the locations of plant and machine compounds.

- (b) Revised site layout and elevation plans indicating amendments to the front (northern) and western boundary walls of the site to improve full junction intervisibility, to the satisfaction of the planning authority.
- (c) Sightlines at the proposed site entrance shall be as per the requirements of the Design Manual for Urban Roads and Streets issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government and to the satisfaction of the planning authority.

Details of all works proposed on the public road shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interests of traffic safety and orderly development.

- 6. Water supply and drainage arrangements, including the 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.

- 7. Proposals for a development name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs and house numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has

obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility, and to ensure the use of locally appropriate placenames for new residential developments.

8. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

9. 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 noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of clarity, orderly development and amenity.

10. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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.

11. 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, and of sustainable development.

12. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

13. 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.

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

Dated this day of 2018.