



Planning and Development Acts 2000 to 2018

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 18/113

Appeal by Catherine O'Leary care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 12th day of April, 2018 by Waterford City and County Council to grant subject to conditions permission to Michael O'Mahony care of Patrick Halley and Associates of Burchall House, Parnell Street, Waterford in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Demolition of flat roofed single storey extension to the rear and single storey garage to the side and (b) construction of single storey side extension and two-storey extension to the rear to include raising the existing ridge line and provision of dormer window to the front, together with all associated site works at 1 Old Waterford Road, Tramore, County Waterford.

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 pattern of development in the vicinity, the residential land use zoning of the site, the planning history of the site and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would improve roadside conditions for road users including pedestrians along the Old Waterford Road and would improve the streetscape appearance, would improve the residential amenity of the existing cottage, would not seriously injure the visual amenities of the area, and would not seriously injure the amenities of property in the vicinity by means of overlooking or otherwise. 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, 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 external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

3. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.

4. The side elevations of the balcony area shall comprise of a screen of opaque glazing which shall be two metres in height. Prior to the commencement of development revised drawings to comply with this requirement shall be submitted to, and agreed in writing with, the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. 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.

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

Dated this day of 2018.