



Planning and Development Acts 2000 to 2018

Planning Authority: Sligo County Council

Planning Register Reference Number: 17/443

Appeal by Fintan and Margaret Ryan of Sur Mer, Rosses Point, County Sligo against the decision made on the 4th day of May, 2018 by Sligo County Council to grant subject to conditions a permission to Maria and Brendan Mullen care of Nolan and Quinlan Architects of 4 Constitutional Court, Stephen Street, Sligo in accordance with plans and particulars lodged with the said Council:

Proposed Development: The provision of a bed and breakfast accommodation with six double guest bedrooms and a self-contained residential unit for private family use. The existing building, a former public house and guest house had 11 bedrooms. It is proposed to demolish and replace the front porch and provide a balcony over, demolish an existing fire escape staircase at the rear and construct a two-storey extension to provide an internal protected staircase, demolish an existing two-storey rear extension and replace it with a new extension with a sun lounge on the ground floor and a bedroom at first floor level. It is also proposed to alter and reconstruct part of the existing two-storey rear extension to raise the roof so that it matches the roof line of the existing extension to rear. The proposed development includes

the demolition of an existing external toilet, a bottle store and boiler house and construction of new stores and boiler house. The floor area of the existing building is 441 square metres and the proposed development will increase it to 460 square metres. The proposed development includes associated site works, all at premises known as Hacketts, Rosses Upper, Rosses Point, County 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 nature, scale and location of the proposed development, the existing development on site, the zoning of the site for 'mixed-use' development in the Sligo County Development Plan 2017-2023, which also recognises the special tourism function of Rosses Point, and the pattern of development in the area, including surrounding uses, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety, would not have a detrimental impact on the structural stability of adjoining structures and property, and would be in accordance with the provisions of the current Development Plan for the area. 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 further plans and particulars submitted the 13th day of April, 2018, and by the further plans and particulars received by An Bord Pleanála on the 3rd day of July, 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. Prior to the commencement of development, detailed structural drawings and a construction methodology statement, detailing how it is proposed to ensure the protection of the structural stability and fabric of the retaining wall structure, shall be submitted to, and agreed in writing with, the planning authority. These details shall specifically include the methods proposed to part dismantle the external steps and stores, demolition and excavation arrangements, the proposed foundation system and underpinning, structural bracing and supports, the method of construction and details of supervision by a suitably qualified person.

Reason: In the interests of orderly development and preserving the integrity of retaining structures.

3. Details of the materials, colours and textures of all the external finishes to the building 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. Details of all signage and lighting shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the amenities of the area.

5. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

6. Site development and building works shall be carried out between the hours of 0800 and 1800 from Mondays to Fridays inclusive, between 0800 and 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.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

8. 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.

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

Dated this day of 2019.