



Planning and Development Acts 2000 to 2018

Planning Authority: Sligo County Council

Planning Register Reference Number: PL18/238

Appeal by Anne Haslette of 44 Whitestrand, Aylesbury Park, Second Sea Road, Sligo against the decision made on the 16th day of January, 2019 by Sligo County Council to grant subject to conditions permission to Charlie McGoldrick care of DB Consulting Engineers Limited of Teeling Street, Sligo in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of two number semi-detached two-storey dwelling houses, to be numbered 45 and 46 on vacant plot, Phase 6, Whitestrand, Aylesbury Park with connection to public services and all associated works, all at Aylesbury Park, Knappaghmore, Second Sea Road, 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 'RE – Existing Residential Areas' zoning for the site in the Sligo County Development Plan 2017-2023, to the nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would be compatible with the existing form of residential development within the area, would be acceptable in terms of design and layout, would not seriously injure the residential amenities of the area or of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety. 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 information submitted the 13th day of December, 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) All proposed first floor side elevation windows shall be permanently fitted with frosted glazing.
 - (b) The external finish of the proposed houses shall be entirely in brick, of the same colour as the adjoining dwellings to the east of the site. The roof shall be blue/black or slate grey in colour, including ridge tiles, to match the roof colour of the adjoining dwellings to the east of the site.

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 interests of protecting the residential amenities of adjoining dwellings, and of visual amenity.

3.
 - (a) The existing fences along the northern and eastern site boundaries shall be retained and protected from damage during construction.
 - (b) The existing fencing along the western site boundary shall be repaired and strengthened where necessary, so as to provide a 1.8-metre-high close boarded fence for the entire length of the western boundary.
 - (c) The developer shall erect timber fencing along the dividing boundary between the two proposed dwellings. The height of the fencing shall be 1.8 metres bounding the rear gardens, and 1.2 metres in front of the dwellings.

Reason: In the interests of visual and residential amenity.

4. 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.

5. 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 public safety and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 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.

7. 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, including any repairs necessary to existing estate roads and services resulting from the construction of the proposed 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.

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.

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

Dated this day of 2019.