



Planning and Development Acts 2000 to 2018

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 18/667

Appeal by Anthony Green of Fernlea, 4 Orchard Way, Market Rasen, Lincolnshire, United Kingdom and by Berryline Company Limited care of Halley Murphy and Associates of Burchall House, Parnell Street, Wexford against the decision made on the 19th day of February, 2019 by Waterford City and County Council to grant subject to conditions a permission to Anner Fehnert care of Liam Buck of Glen, Clonea, Dungarvan, County Waterford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of (i) upgraded balcony railings and guardings to comply with Building Regulations, (ii) replacement two number rectangular windows with circular windows on the recessed balcony areas of the first and second floor areas of the building, and (iii) replacement of two number velux roof windows with one number velux balcony window. Planning permission is also required for a Juliet style balcony to the second floor level of the building and all necessary ancillary works, all at apartment number 6, Southshore, 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 location and zoning objectives pertaining to the site of the development, the pattern of development in the area and the corner location, the design and the layout of the proposed development and the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the residential or the visual amenities of the area or of property in the vicinity. The proposed development and the 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 retained, 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 condition. Where such condition 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed Juliet style balcony shall not extend beyond the width and height of the original. Details of finishes and materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

Dave Walsh

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

Dated this day of 2019.