



Planning and Development Acts 2000 to 2019

Planning Authority: Longford County Council

Planning Register Reference Number: 19/117

Appeal by Joan Foran on behalf of Saint Matthews Residents Committee of 5 Saint Matthews Park, Ballymahon, Longford against the decision made on the 27th day of March, 2020 by Longford County Council to grant subject to conditions a permission to Francis and Nim Rodrigues care of Quaine Architectural Design of Cluain Cottage, Knockmartin, County Longford in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) demolition of existing single storey extension to the rear of existing dental surgery previously granted planning permission under planning register reference number 07/1096, and proposed two-storey extension to rear of existing surgery, (b) change of use of adjoining single storey residential building to use as dental surgery with provision of new single storey extension to the rear, link corridor between buildings, new front access door, (c) to include changes to existing floor layouts to both buildings and changes to relevant elevations, (d) provision of parking area to rear upgrade to access and gate, connection to relevant drainage, provision of boundary wall/fences and retaining walls, signage and all associated site

development works where it is now proposed to reduce in size the proposed extension to the rear of building away from lateral boundaries, retain ground excavation works and amendments boundary treatment including rear access and boundary location, all at number 15 Main Street, Ballymahon, County Longford, as revised by the further public notices received by the planning authority on the 24th day of October, 2019.

Decision

GRANT permission on 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 detailed design of the proposed development, including arrangements for the management and use of the car park to the rear of the site, it is considered that, subject to compliance with the condition set out below, the proposed development would not give rise to traffic hazard and would 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, as amended by the further plans and particulars submitted on the 24th day of October, 2019 and on the 10th day of March, 2020, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The car park to the rear of the site shall be used for staff parking only. Deliveries shall be at the front only.

Reason: In the interest of traffic safety.

3. Proposals for signage 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. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing structure in respect of colour and texture.

Reason: In the interest of visual amenity.

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

6. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of traffic safety and to prevent pollution.

7. All existing trees and hedgerow species on the site shall be retained in site except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of visual amenity and biodiversity.

8. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1300 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 amenities of property in the vicinity.

9. 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.

10. No building material or plant shall be used or stored on the access laneway to the rear of the subject site.

Reason: In the interest of traffic safety.

11. Lighting within the development shall be provided in accordance with the requirements of the planning authority and shall be submitted for written agreement prior to commencement of development.

Reason: In the interests of amenity, public and traffic safety.

12. 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.

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

Dated this day of 2020