



Planning and Development Acts 2000 to 2020

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 20/859

Appeal by Sean Healy and others care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 9th day of March, 2021 by Waterford City and County Council to grant subject to conditions a permission to Patricio Harte of Cooltigen, Dromina, Woodstown, Country Westmeath in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Alterations to the elevations of existing dwelling, consisting of blocking-up the existing first floor window at the east side of the building, together with the provision of a new roof-light type window to the existing front elevation (north facing) (b) subdivision of existing site in order to accommodate construction of two number four bed detached dormer dwellings to the east side of the existing house, demolition of part of the existing road boundary to form new vehicular and pedestrian access and related parking spaces, together with all landscaping works, boundary treatments and all associated site works at Hill View, 21 Sumerville Avenue, Waterford City.

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 zoning objective of the site as set out in the Waterford City Development Plan 2013-2019 (as varied and extended), to the design and scale of the proposed development, to the infill nature of the site, and to the pattern of development in the vicinity, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would represent an appropriate residential density, would be acceptable in terms of traffic safety and convenience, and would comply with the relevant provisions of the development plan, the National Planning Framework, and the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas issued by the Department of the Environment, Heritage and Local Government in May 2009. 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 the further plans and particulars submitted on the 12th day of February 2021, 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. Details of the materials, colours, and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The final design, siting, and construction details of the three vehicular entrances, the extended footpath, and the kerb along the northern site boundary shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The vehicular entrance in the western site boundary serving the existing dwelling shall be permanently decommissioned on completion of the alternate entrance.

Reason: In the interest of traffic and pedestrian safety.

A circular official stamp of An Bord Pleanála is visible in the bottom right corner. It contains the text 'AN BORD PLEANÁLA' around the perimeter. Overlaid on the stamp is a handwritten signature in black ink.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.

Reason: In the interest of public health.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual and residential amenity.

7. Proposals for a house name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility.

8. 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 hours of working, noise management measures and off-site disposal of construction/ demolition waste.

Reason: In the interests of public safety and residential amenity.



9. 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.



John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 16th day of NOVEMBER 2021.