

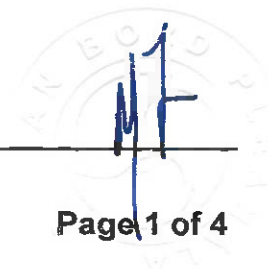
Planning and Development Acts 2000 to 2020

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 20/821

Appeal by Kevin and Bridie Hodge care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 29th day of April, 2021 by Waterford City and County Council to grant subject to conditions a permission to Mark Walsh care of Dalira Limited of Unit G01, City Enterprise Centre, Waterford Business Park, Cork Road, Waterford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of change of use of existing structure to rear of house (measuring 27 square metres) to habitable accommodation and full planning permission to demolish existing rear extension and build new extension (measuring 95 square metres) to rear of house to accommodate fully wheelchair accessible bedroom and bathroom and living area linking to existing structure to rear of house to create an attached granny flat and all associated site works at 13 Alder Grove, Mount Pleasant, Waterford City. The proposed development was revised by further public notices received by the planning authority on the 7th day of April, 2021.



Decision

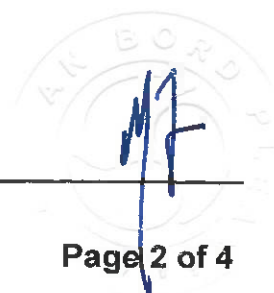
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 of the site within a residential area of Waterford City, the policy and objectives set out in the Waterford City and Environs Development Plan 2013-2019 (as extended), the nature, scale and design of the proposed development, and the pattern and layout of the existing residential development in the immediate area of the subject site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would be in accordance with the proper planning and sustainable development of the area.



Conditions

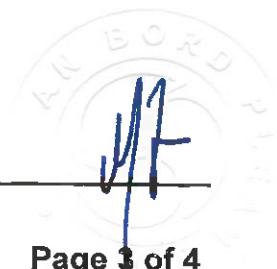
1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 1st of April, 2021, except as may otherwise be required in order to comply with the following conditions. Where 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. The existing structure to be retained to the rear of the dwelling shall be used solely as a shed or store ancillary to the main dwelling on the subject site. It shall not be used for habitation or an integral use associated with the main dwelling.

Reason: In the interest of protecting existing residential amenities associated with neighbouring properties.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, or shall be erected on the site/within the rear garden area without a prior grant of planning permission.



Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling.

4. 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 20th day of September 2021.