

An
Bord
Pleanála

Board Order
ABP-310731-21

Planning and Development Acts 2000 to 2020

Planning Authority: Offaly County Council

Planning Register Reference Number: 21/201

Appeal by Kate O'Shea care of The Planning Partnership of The Bank Building, 52 Oliver Plunkett Street, Mullingar, County Westmeath against the decision made on the 4th day of June, 2021 by Offaly County Council to refuse permission to Kate O'Shea for the proposed development.

Proposed Development: Retention of structure as built to date and permission for completion including conversion of same to a storey and a half dwelling house, amendments to elevations, provision of private open space, connection to services and all associated site works, all at The Mews to the rear of Violet Cottage, Clonminch Road, Tullamore, County Offaly.

Decision

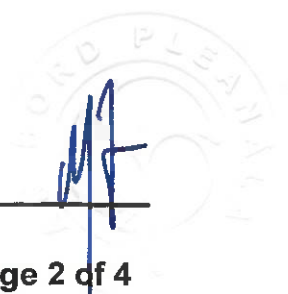
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 provisions of the Tullamore Town and Environs Development Plan 2010 - 2016 (as extended), and to the nature, design and layout of the proposed development and the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development for which retention is sought, would not seriously injure the residential amenities of the area or of property in the vicinity, would provide an acceptable standard of amenity for future residents, and would be acceptable in terms of traffic safety. The proposed development and the development for which retention is sought 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 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. Site development and building works shall be carried out only between the hours of 0700 and 1800 from 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.


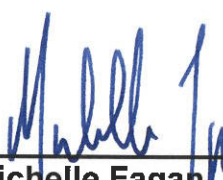
3. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.



4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 the 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 developers 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 2nd day of November 2021.