

An
Bord
Pleanála

Board Order
ABP-311211-21

Planning and Development Acts 2000 to 2021

Planning Authority: Tipperary County Council

Planning Register Reference Number: 21/354

Appeal by Zachary and Iskra Guidera of 29 Father Matthew Terrace, Clonmel, County Tipperary against the decision made on the 29th day of July, 2021 by Tipperary County Council to refuse permission for the proposed development.

Proposed Development: Extension of the existing property in the form of a first storey addition over the existing single storey flat roof to the rear of the property with associated site works at 29 Father Mathew Terrace, Clonmel, County Tipperary.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the development management guidelines for domestic extensions as set out in Section 9.13 of the Clonmel and Environs Development Plan 2013. The proposed development would be satisfactory in terms of design and would not seriously injure the residential amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 2nd day of July, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be modified as follows:
 - (a) The design of the window in the side (southern) elevation shall be revised to be a high-level window such that the cill height is a minimum of 1,400 millimetres above internal floor level.

- (b) The design of the window in the rear (western) elevation shall be revised such that the cill height is a minimum of 900 millimetres above internal floor level.

Prior to commencement of development, revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of protecting the residential amenities of adjacent properties.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be similar to those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, 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 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.

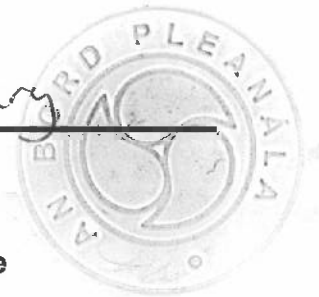
Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 13th day of December 2022