

An
Bord
Pleanála

Board Order
ABP-311456-21

Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/418

Appeal by Mary McLoughlin and John McGrath of 6 Priory Avenue, Abbeyside, Dungarvan, County Waterford and by Colm and Caroline Whelan of 9 Priory Avenue, Abbeyside, Dungarvan, County Waterford against the decision made on the 31st day of August, 2021 by Waterford City and County Council to grant subject to conditions a permission to Nichola and Paschal Phelan care of Emmet Murray Architects of Dungarvan Enterprise Centre, Lower Main Street, Dungarvan, County Waterford in accordance with the plans and particulars lodged with the said Council:

Proposed Development: A single storey front extension, a single storey side extension and a dormer roof conversion to single storey dwelling house at 8 Priory Avenue, Landsend, Abbeyside, Dungarvan, County Waterford as revised by the further public notices received by the planning authority on the 5th day of August, 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.

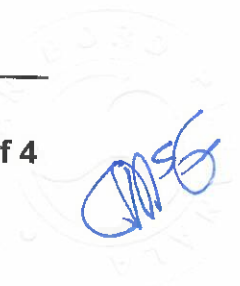
Reasons and Considerations

Having regard to the provisions of the Dungarvan Town Development Plan 2012-2018 (as varied and extended), to the location of the site in an established residential area, the zoning for residential purposes and to the nature, form, scale and design of the proposed development, 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 constitute an acceptable form of development at this location. 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 further plans and particulars received on the 27th 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The proposed extensions shall be used solely for domestic purposes incidental to the use of the dwelling and shall not be used for any commercial purpose.

Reason: In the interest of residential amenity.

3. The lower two number Velux roof light type windows serving the master bedroom on the eastern roof plan shall be top hung only and shall be permanently glazed with opaque glass. All bathroom windows permitted herein shall be permanently glazed in opaque glass.

Reason: In the interest of residential 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 orderly development.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 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.

6. 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.


Chris McGarry

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

Dated this  day of  2022

