

An
Bord
Pleanála

Board Order
ABP-312293-21

Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/768

Appeal by Niall and Annette Barry and others care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 23rd day of November, 2021 by Waterford City and County Council to grant subject to conditions a permission to Deirdre and Veton Bytyqi and Russell and Emer Bailey care of Wigham McGrath and Partners of Arderra, Mooncoin, via Waterford in accordance with plans and particulars lodged with the said Council:

Proposed Development: (A) - Full planning permission is sought for alterations to previously approved development under planning reference 90/93 comprising: (1) The amalgamation of two number apartments known as "Sea Breeze" to create a single dwelling unit; and (2) Associated works to the existing building and curtilage including alterations to the existing elevations, removal of an internal staircase, removal of the dividing fence to the rear of the site and construction of a single storey porch to the front elevation. The proposed single-family dwelling will be served by an enlarged garden to the rear (east) and an enlarged frontal area (west) to accommodate two number vehicle parking spaces to the front of the building. (B) - Permission is sought to retain indefinitely alterations to the previously approved development under reference 90/93 comprising of: (1) Removal of a portion of the previously granted western parking/amenity area from the curtilage of Sea Breeze and its inclusion within the curtilage of Ard na Mara. (2) Installation of new rooflight to

the southern elevation of Apartment Number 01 Seabreeze. (3) The construction of a 1.85 metre high masonry boundary wall to the eastern side of Ard Na Mara site (western boundary of Sea Breeze car parking area) and the construction of a 1.8 metre high timber paling fence to the western and southern boundaries of the Ard Na Mara site. (4) The construction of a private vehicular entrance and parking space accessible off the private road, perpendicular to Circular Road. All with the associated hard and soft landscaping; road streetscape and all other site development works, all at Sea Breeze and Ard na Mara, Circular Road, Dunmore East, County Waterford, as revised by the further public notice received by the planning authority on the 28th day of October, 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 Waterford City and County Development Plan 2022-2028, the planning history of the site and the design, scale and layout of the proposed development and the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate in a satisfactory manner with the existing built development in the area, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development 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, as amended by the further plans and particulars submitted on the 19th day of October, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed first floor windows serving bedrooms numbers 1 and 4 shall be glazed with obscure glazing.

Reason: To prevent overlooking of adjoining residential properties.

3. 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 the commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

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

4. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

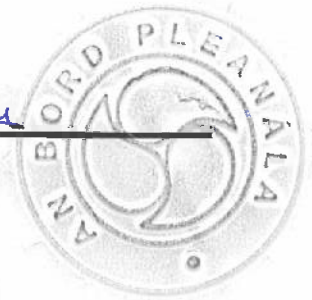
Reason: In order to safeguard the residential amenities of property in the vicinity.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

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



Dated this *14th* day of *June* 2023

ESK