



An  
Bord  
Pleanála

**Board Order**  
**ABP-315344-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 22/484**

**Appeal** by Mary Bourke MacEvoy and Family care of Daniel P. Keane Architectural Technologist, 20 Church Street, Portlaoise, County Laois against the decision made on the 17<sup>th</sup> day of November, 2022 by Laois County Council to grant subject to conditions a permission to Aiste Krungleviciene and Vytautas Krunglevicius care of Michéal McGrath of Unit 1A Leinster Express Business Park, Portlaoise, County Laois in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Renovate and extend an existing dwelling to include a new first-floor over existing single-storey wing and to raise the roof of the existing garage and all associated site works, all at 27 Dr. Murphy's Place, Portlaoise, County Laois.

## **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 existing site layout and building envelop of the dwelling on site relative to the configuration of the adjoining properties, to the configuration of the subject site fronting two residential roads, and to the close proximity of the immediate dwelling to the north of the site and it's front door located on the gable end of the dwelling facing directly on to the subject site, it is considered that the proposed extension to the dwelling, subject to compliance to with the conditions set out below, would be in keeping with the visual and residential amenities of the area and 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 revised by the further plans and particulars submitted on the 2<sup>nd</sup> day of November, 2022, 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 covered entrance to garage/pitched roof proposed over the carport area, as indicated in the plans and elevations received by the planning authority on the 2<sup>nd</sup> day of November 2022, shall not be permitted (a pitched roof over the enclosed garage is permitted). Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority, amended plans and elevations at a scale of not less than 1:100 indicating compliance with this condition.

**Reason:** To mitigate the overbearing impact of this element of the proposed development on the adjoining residential property to the north-east.

3. Water supply and drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interests of public health and surface water management.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

5. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0900 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 amenities of property in the vicinity.

7. 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.



**Tom Rabbette**

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

Dated this 70<sup>th</sup> day of Dec. 2023.