

An
Bord
Pleanála

Board Order
ABP-318837-24

Planning and Development Acts 2000 to 2022

Planning Authority: Sligo County Council

Planning Register Reference Number: 2360215

Appeal by John Browne and Ailbhe Donnelly care of Ger Fahy Planning of Mulhussey, Maynooth, County Kildare against the decision made on the 13th day of December 2023 by Sligo County Council to grant permission subject to conditions to Michael and Sharon Kilcullen care of Maughan and Associates of Moy Valley Business Centre, Bunree Road, Ballina, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of new dwelling house, connection to public utilities together with ancillary site development works at Cliff Road, Carrowhubbuck South, Enniscrone, County Sligo.

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

The Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties or the visual amenities of the area, would not be prejudicial to public health or adversely affect the environment, 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 amended by the further plans and particulars received by the planning authority on the 17th day of November 2023, 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. Details of the finished ground floor levels of the proposed dwelling and materials, colours, and textures of all the external finishes to the proposed dwelling and external lighting (including access road and entrance) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

3. 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 interest of public health and surface water management.

4. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.



6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.

7. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures, off-site disposal of construction/demolition waste, and the protection of existing underground pipes including the existing foul drain that traverses the site, serving the neighbouring property to the north.

Reason: In the interest of amenities, public health and safety and environmental protection.

8. 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.



MaryRose McGovern

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

Dated this 4 day of December 2024.