



An
Bord
Pleanála

Board Order ABP-320237-24

Planning and Development Acts 2000 to 2022

Planning Authority: Sligo County Council

Planning Register Reference Number: 24/60149

Appeal by Fintan and Margaret Ryan of Sur Mer, Rosses Point, County Sligo against the decision made on the 25th day of June, 2024 by Sligo County Council to grant subject to conditions a permission to Simon O'Dowd and Mijiti Tuolunayi care of Simon O'Dowd of 1/32 Wolfe Tone Street, Sligo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a part two-storey/part storey-and-a-half/part one-storey detached domestic dwellinghouse and all associated site works, all at Colmcille Drive, Rosses Point, 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

Having regard to the provisions of the Sligo County Development Plan 2024-2030, and having regard to the location and character of the site, zoned under objective eRES, which seeks to promote the development of greenfield/infill/backland for high quality residential uses, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with the surrounding area, would not give rise to undue negative impacts on the residential amenity of the surrounding area, and 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 3rd day of May, 2024, 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. 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 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. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

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

4. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

5. A blockwork boundary wall, which shall be capped and rendered, shall be two metres above the finished ground floor level of the proposed dwelling and shall be located along the eastern, western and southern boundaries. Details in this regard shall be submitted for the written agreement of the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

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

7. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

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.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *20th* day of *December*, 2024.