



Board Direction

Ref: 27.240469

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24th, September 2012.

The Board decided to grant permission in accordance with the following reasons, considerations and conditions.

Reasons and Considerations

Having regard to the nature and scale of the proposed development involving the retention of a replacement dwelling, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or property in the vicinity of the site, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would be in accordance with the proper planning and sustainable development of the area..

In deciding not to accept the Inspector's recommendation to refuse permission, the Board noted that the development to be retained was for a replacement dwelling. Furthermore, the Board had regard to the contents of the applicant/appellant's response to the S.132 notice issued by the Board in relation to arrangements for the satisfactory disposal of effluent from the dwelling.

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 An Bord Pleanála on the 7th, day of September, 2012, 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)
- (a) The proposed secondary treatment drainage system shall be in accordance with the standards set out in the document entitled “Wastewater Treatment Manual – Treatment Systems for Single Houses” – Environmental Protection Agency, published by the Environmental Protection Agency in 2009.
 - (b) Treated effluent from the system shall be discharged to a raised percolation area which shall be provided in accordance with the standards set out in “Wastewater Treatment Manual – Treatment Systems for Single Houses” – Environmental Protection Agency.
 - (c) Within one month of the commissioning of the treatment system, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the raised percolation area is constructed in accordance with the standards set out in the EPA document.
 - (d) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the date of the commissioning of the treatment system and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.

Reason: In the interest of public health.

- (3) The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of first planting shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

- (4) Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In the interest of public health

- (5) Std. S. 48 financial contribution – amount unspecified.

Board Member: _____ Date: 24th, September 2012
Paddy Keogh