



## Board Direction

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**Ref: PL27.245764**

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 21<sup>st</sup>, 2016.

The Board decided to grant permission (by a 2:1 majority) generally in accordance with the Inspector's recommendation, subject to the amendments to the Inspector's draft reasons, considerations and conditions set out below.

### REASONS AND CONSIDERATIONS

Having regard to the rural housing policy considerations as set out in the Wicklow County Council Development Plan 2010-2016, to the close proximity of the proposed development to a local sports/tourism related business operated by the applicants, to the nature and extent of the development proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would meet the criteria set out in Objective RH14 of the Development Plan, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health 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. Plan particulars with ref to FI

**Reason:** In the interest of clarity.

2. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. The applicant shall enter into a

written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

**Reason:** To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.

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

b) Surface water from the site shall not be permitted to drain onto the adjoining public road.

**Reason:** In the interest of public health and traffic safety.

4. (a) The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice, Wastewater Treatment and Disposal Systems Serving Single Houses" – Environmental Protection Agency, 2009.

(b) Treated effluent from the septic tank system shall be discharged to a raised percolation area which shall be provided in accordance with the standards set out in "Code of Practice, Wastewater Treatment and Disposal Systems Serving Single Houses" – Environmental Protection Agency, 2009.

(c) Within three months of the first occupation of the dwelling, 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) The applicant shall enter into an annual maintenance agreement with the system supplier.

**Reason:** In the interest of public health.

5. The existing native roadside hedge and mature trees shall be retained, except where removal is required for adequate sight visibility lines at the proposed entrance and in the first planting season following occupation of the house, the site shall be planted in accordance with a planting scheme which shall have been submitted to and agreed in writing with the planning authority before the development is commenced.

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

6. a) The external finishes of the proposed development shall be nap plastered or dry dash, with use of natural stone as indicated on the drawings submitted to the PA, unless otherwise agreed in writing with the planning authority.

b) The slate roof shall be of a blue/black, black, dark brown or dark grey colour.

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

7. All service cables associated with the proposed development (such as electrical, television and telephone) shall be run underground within the site.

**Reason:** In the interest of the visual amenities of the area.

8. During construction the developer shall provide adequate off carriageway parking facilities, for all traffic associated with the proposed development, incl. delivery and service vehicles / trucks. There shall be no parking along the public road.

**Reason:** In the interest of traffic safety.

9. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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.

Note: The Board agreed with, and adopted the Inspector's report in respect of appropriate assessment.

Board Member: \_\_\_\_\_ Date: March 23<sup>rd</sup>, 2016  
Nicholas Mulcahy

Please issue copy of direction with order.