



An
Bord
Pleanála

Board Direction
PL10.246596

The submissions on this file and the Inspector's report were considered at a Board meeting held on September 5th and the Inspector's addendum report at a further Board meeting on September 13th 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendations, for the following reasons and considerations, and subject to the following conditions.

Appropriate Assessment

The Board noted the Appropriate Assessment Screening Report submitted by the applicant and the Appropriate Assessment Screening determination carried out by the Inspector in her initial and addendum reports. The Board concurred with the Inspector's determination, and adopted her conclusions and recommendations in this regard. The Board was therefore satisfied, having regard to the nature, location and scale of the proposed development, that it either individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, including Spahill and Clomantagh Hill SAC, or any other European site, in view of the site's conservation objectives.

REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area and to the scale, nature and design of the proposed structure, 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 of property in the vicinity and would 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, 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. Slurry generated by the proposed development shall be disposed of by spreading on the lands indicated in the aerial photograph submitted to the planning authority on 24th March 2016. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations, 2014, as amended. No spreading shall occur on any lands within the Spahill and Clomantagh Hill SAC (site code 000849).

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

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

Reason: In the interest of environmental protection, public health and to ensure a proper standard of development.

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

Reason: In order to allow the planning authority to assess the impact of these matters on the visual amenity of the area before development commences.

5. 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. This scheme shall include the following:

Contoured drawings to scale of not less than [1:500] showing –
a survey of all existing trees and hedging plants on the site, their variety, size, age and condition, together with proposals for their conservation or removal
a continuous hedge of indigenous species (e.g. holly, hawthorn, beech or field maple) planted for the full length of the eastern boundary

Proposals for the protection of all existing and new planting for the duration of construction works on site, together with proposals for adequate protection of new planting from damage until established

Deciduous trees shall be planted at not less than 2 m in height and evergreen species at not more than 750mm in height. Species to be used shall not include either *cupressocyparis x leylandii* or *grisellinia*. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, 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 order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

6. 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.

Board Member _____

Date: 13.09.16

Paul Hyde