



An
Bord
Pleanála

Board Direction
PL03.248981

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11th January 2018.

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

Reasons and Considerations

Having regard to the provisions of section 6.7.13 Rural Enterprise and of Council policy Rural Enterprises Objective CDP6.20 in the Clare County Development Plan 2017-2023, the location of the site and pattern of development in the area, the nature and limited scale of the development and the separation distance to residential property, it is considered that the development proposed for retention would not seriously injure the amenities of the area, including the amenities of residential property and would be consistent with the provisions of the statutory County Development Plan. The development proposed for retention 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, 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 use of the workshop and associated portacabin shall be limited to the applicant's business only, as described in documentation submitted with the application and as further information.
- (b) The development shall not be used for retail activity for visiting members of the public.
- (c) No further change of use of the workshop or intensification of the permitted use, shall take place without prior consent of the Planning Authority.

Reason: In the interest of protecting the amenities, including residential and environmental amenities, of the area.

3. The development to be retained shall not be separated, by sale, lease or otherwise from the existing dwellinghouse on the landholding.

Reason: In the interest of proper planning and sustainable development, and in the interests of public health given the reliance on the existing dwellinghouse for services.

4. (a) All surface water generated within the boundaries of the site shall be collected and disposed of within the curtilage of the site to appropriately sized and designed soakpits.
- (b) All soiled surface water runoff shall be directed through hydrocarbon interceptors prior to discharge to soakpits.
- (c) Full details and drawings of the surface water drainage shall be submitted to the planning authority for its written agreement and shall be implemented within 3 months of the date of this decision.

Reason: To prevent environmental pollution.

5. All goods, including raw materials, manufactured goods, packaging and crates shall be stored within the enclosed buildings.

Reason: To prevent environmental pollution.

6. No signage, advertising structures / advertisements, shall be erected within the site, or on adjoining lands under the control of the applicant.

Reason: To protect the visual amenities of the area.

7. The operations shall be limited to between 0800 hours and 1800 hours Monday to Saturday, inclusive (excluding public holidays).

Reason: In the interest of residential amenity.

8. The developer shall pay to the planning authority a financial contribution of €3,769 (three thousand, seven hundred and sixty-nine euro) 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.

Board Member

Date: 12th January 2018

Conall Boland