



An  
Bord  
Pleanála

**Board Direction**  
**BD-00071-18**  
**ABP-300066-17**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 7<sup>th</sup> March 2018.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to:

- The economic and social need demonstrated for the proposed dwelling, which is integral to the long established rural tourism business at this location,
- The pattern of existing and permitted development in the area,
- The landscape character including screening available to the site, and
- The general acceptability of the site in relation to access and services,

It is considered that the proposed development, subject to compliance with the conditions set out below, would not materially contravene the Development Plan for the area, would be acceptable in terms of compliance with policies for the control of rural housing, would not have unacceptable impacts on the character of the landscape, would not be prejudicial to public health, and would not have significant effects on any European Site. The proposed development, would therefore 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 considered that there was a genuine need demonstrated for this dwelling, in compliance with Development Plan policies, having considered the planning history of the site, the bona-fide nature of the established eco-tourism business on the site,

and the planning permissions granted (under planning authority references 16/396 and 17/158) which envisage an overall improvement in the operation of the facilities and an expansion of the business operations. The permission for the dwelling can be tied to the business use on the site by means of planning condition. The Board did not consider that a material contravention of the Development Plan arose in this case. In relation to landscape protection, having considered the landscape character assessment for the area and the submissions on file, the Board was satisfied that the proposed dwelling would not be unduly obtrusive or detrimental to the landscape character of the area, taking into account the well screened nature of the site. The Board also noted that the principle of two-storey development on the site has already been permitted (under planning authority references 16/396 and 17/158) and in that context, considered that the design of the proposed dwelling was acceptable. Again the board was satisfied that no material contravention of eh Development Plan arose.

## Conditions

1. Plan Partic (include FI to PA)
2. The permitted dwelling shall only be used as a permanent dwelling associated with the established tourism facility on the site and shall not be sold, leased or let separately from that business. **Reason:** in the interests of orderly development, clarity and to support the rural housing policies of the Development Plan.
3. The existing mobile home on site, currently used by the applicant and his family, shall be removed from site within 4 weeks of the occupation of the permitted dwelling. Reason: In the interests of orderly development.
4. Standard condition PropTS 2 (include application date and FI date).
5. Externngen TBA with PA standard.
6. Cables standard.
7. Standard LanHouse 1 (first paragraph).
8. Std s 48

Note: The Board noted the Inspector's concerns in relation to wastewater treatment and groundwater protection. The Board considered that the proposed technical solution submitted by the applicant's wastewater specialist, including the technical specifications, was satisfactory and would be an acceptable manner to treat effluent from the house. The Board considered that references to a new 'septic tank' on the site lay out drawing were erroneous and that installation of the recommended proprietary treatment system could be ensured by means of a planning condition. The Board noted that the Planning Authority did not raise wastewater proposals in their final recommendation, and the system now proposed is consistent with the system already approved under under planning authority references 16/396 and 17/158. In this regard the Board was satisfied that protection of groundwater was assured and that a need for further information in relation to wastewater or appropriate assessment did not arise.

**Board Member**

**Date:** 07/03/2018

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Conall Boland

Please issue a copy of the Board Direction with the Order.