



An
Bord
Pleanála

Board Direction
BD-000292-18
ABP-300269-17

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 9th 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 nature and scale of the proposed development and the unique circumstances of the appeal site, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the amenities of adjoining properties or the character of the area, and would represent an acceptable form of development within this existing village centre. The proposed development 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 as amended by the further plans and particulars submitted on the 15th day of September 2017, 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. 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. In this regard, the construction of the pumphouse and bore hole well system shall be omitted from the development, which shall be connected to the Lissycasey Group Water Supply in accordance with the site layout plan and particulars submitted on the 15th day of September 2017. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of public health.

3. As PA condition number 3 (including reason).
4.
 - a) The treatment plant and polishing filter shall be maintained in accordance with the details submitted.
 - b) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from first occupancy of the dwellinghouse and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to the planning authority within four weeks of the occupancy.
 - c) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.

d) Within 3 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 proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner.

Reason: In the interest of public health.

5. As PA condition no 5 (a), (b), (d) and (e) *[omit the second and third alternatives in 5 (a)]*

Reason: In the interest of amenity and of traffic and pedestrian safety.

6. 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.

Reason: In the interest of residential and visual amenity.

7. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

8. 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 to 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.

Board Member

Date: 9th May 2018

Philip Jones