



An
Bord
Pleanála

Board Direction
BD-001828-18
ABP-302220-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/12/2018.

The Board decided to refuse permission for the retention and completion of the three-storey split-level domestic garage for the reasons marked at (1) below, and to grant retention permission for the three outbuildings and alterations and amendments to the site layout, generally in accordance with the Inspector's recommendation, for the reasons and considerations set out at (2) below, and subject to the following conditions.

Reasons (1)

Having regard to the scale, height and three-storey design of the domestic garage, the topography of the site and surrounding area, the extensive hardstanding and additional driveway area adjacent to the garage, and the number of outbuildings currently on site, it is considered that the development represents an excessive level of development of this kind on site, would seriously injure the visual amenities of the area, would be out of character with the pattern of development in the area, and would be contrary to Objective DM09 of the Cavan County Development Plan 2014-2020. The development for which retention and completion permission is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

Reasons and Considerations (2)

Having regard to the location and configuration of the site and then pattern of development in the area, it is considered that subject to compliance with the

conditions set out below, the development for which retention and completion permission is sought would not seriously injure the visual or residential amenities of the area or 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 retained 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.

Reason: In the interest of clarity.

2. The shipping container and roofed external area adjacent to the outbuilding referred to as Shed 1 on drawing number 02_A1, as submitted with the planning application, shall be removed within three months of the date of this Order, and the resultant area reinstated.

Reason: In the interests of orderly development and visual and residential amenity.

3. The three outbuildings referred to as Sheds 1, 2 and 3 on drawing number 02_A1, as submitted with the planning application, shall be used solely for non-habitable uses ancillary to the main dwellinghouse and shall not be used for the carrying out of any trade or business, or sold, let or otherwise transferred or conveyed save as part of the dwelling and its overall site (as outlined in red in the submitted application).

Reason: In the interest of clarity and of residential amenity.

4. 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 for Cavan County, made under section 48 of the

Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this Order 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: 04/12/2018

Dave Walsh