



An
Bord
Pleanála

Board Direction
BD-002139-19
ABP-302479-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/01/2019.

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 rural location, the scale of the activity proposed and its distance from adjoining residential properties, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the residential amenities of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained out 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 total number of dogs to be housed at any given time shall not exceed four.

Reason: In the interest of clarity.

3. All dogs shall be housed and shall not be in the open air after 20.00 hours or before 08.00 hours on any day.

Reason: To safeguard the amenities of the area.

4. The existing house and the development for which retention is sought shall not be separately sold, let or otherwise transferred or conveyed save as part of the house and its site.

Reason: To restrict the use of this development in the interest of residential amenity.

5. All animal feeds shall be stored in dog and rodent proof containers within the confines of the boarding kennel building.

Reason: In the interest of public health.

6. Water supply and drainage arrangements, including the disposal of uncontaminated surface water and solid waste, shall comply with the requirements of the planning authority for such works and services and no surface shall discharge onto adjoining properties or the public road.

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

7. All soiled water/foul drainage from the kennels area and yards used by the dogs shall be discharged to the wastewater treatment plant on site. The developer shall provide a sampling manhole to the requirements of the planning authority for the sampling of the effluent from the wastewater treatment plant within 6 months of the date of this order.

Reason: To prevent pollution of watercourses, ground water and all other waters and to safeguard the amenities of the area.

8. Waste sent off site for recovery or disposal shall only be conveyed by an authorised waste contractor and transported from the subject site to an authorised site of recovery/disposal in a manner which will not adversely affect the environment.

Reason: To provide for the recovery/disposal of waste and the protection of the environment.

9. Retail Ad 3

10. 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 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: 16/01/2019

Terry Ó Niadh

