



An  
Bord  
Pleanála

**Board Direction**  
**BD-003318-19**  
**ABP-302711-18**

---

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/06/2019.

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 established nature of the Irish College within the site, to the layout and design of the proposed development and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development and development for which retention is sought would not seriously injure the visual amenities of the area, would be acceptable in terms of traffic safety and would not be prejudicial to public health. The proposed development and development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed and retained as applicable, in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on 16th July 2018 and on 20th August 2018, 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. The shed marked as 'Equipment Store' shall be retained 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.

3. The shed marked as 'Vehicle Storage' for which retention permission is sought shall be removed and dismantled in accordance with a Waste Management Plan and Site Restoration Plan to be agreed in writing with the planning authority and completed prior to the commence of development of the accommodation block. The removal shall take place within a period of six months from the date of this order, or prior to the first occupation of the proposed accommodation block, whichever is the sooner.

**Reason:** To facilitate adequate provision for on-site waste water treatment and appropriate setback distances from the required treatment systems and surrounding properties having regard to the site characteristics and the provisions of the EPA guidance manual for such systems in the interest of pollution control and in the interest of orderly development and visual amenity.

4. The proposed accommodation block and shed for equipment storage to which this retention permission relates shall not be used as independent commercial enterprises and shall be used solely for purposes incidental to the operation of the Irish College use, unless any other use is permitted by a separate grant of planning permission.

**Reason:** In order to delimit the extent of the uses permitted to those for which application has been made, and to allow the planning authority to assess the impacts of any other uses of the permitted development on the rural environment and amenities of the area through the statutory planning process.

5.

- (i) The external finish to the proposed development shall be nap plaster or wet dash with no colour component. No brick shall be permitted, and any stone used (as indicated in drawings) shall be a natural stone indigenous to the area.
- (ii) Roof slates/tiles shall be blue/black in colour
- (iii) Gutters, fascia and eaves details shall be black in colour and shall project no more than 75mm proud of the main masonry finish.

**Reason:** In the interest of visual amenity.

6. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site and shall not discharge onto the public road or adjoining property.

**Reason:** In the interests of public health and traffic safety.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In this regard the following shall apply:

- (a) The on-site wastewater treatment plant and soil polishing filter which shall include a SBP and filter media system shall be installed, operated and maintained in accordance with the Code of Practice: Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels as published by the Environmental Protection Agency in 2009 and as updated since.
- (b) The existing shed in the vicinity of the proposed treatment system shall be removed (as provided for in Condition 3 above) in order to provide maximum distance between the waste treatment plant and the proposed accommodation while maintaining the proposed distance between the percolation area and existing houses.
- (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 three months of the first occupation of the accommodation proposed, the applicant 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 in accordance with the standards set out in the EPA Code of Practice.
- (e) Arrangements in relation to the on-going maintenance of the system shall be submitted to and agreed in writing with the Planning Authority prior to occupation of the development.

**Reason:** In the interest of public health and protection of the environment.

- 8. Prior to the first operation of the proposed accommodation block, a grease trap, sized correctly, which complies with relevant standards/guidelines, shall be installed and maintained.

**Reason:** In the interest of public health and the environment.

9. Comprehensive details of the proposed lighting system to serve the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public safety and visual amenity.

10. No development shall commence until a landscaping and biodiversity scheme for the entire site as outlined in red as shown on the Site Location Map submitted with the planning application has been submitted to, and approved in writing by the planning authority to suitably integrate and screen the proposed development. The scheme shall comprise a planting plan and schedule which shall include details of:

- (a) existing and proposed ground levels in relation to an identified fixed datum, together with details of contouring which shall minimise the use of retaining structures;
- (b) existing landscaping features and vegetation to be retained;
- (c) location, design and materials of proposed boundary treatment, fences and gates;
- (d) proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- (e) biodiversity enhancement proposals; and
- (f) a programme for the timing, method of implementation, completion and subsequent on-going maintenance. All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the planning authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the planning authority.

**Reason:** In the interests of visual amenity and to integrate the development into its surroundings.

11. The proposed vehicular access and parking layout arrangements shall be in accordance with the requirements of the planning authority. In the regard the following shall apply:

(a) Details of parking areas and duration for coaches, cars and bicycles shall be submitted for the prior written agreement of the planning authority:

(b) Long term storage of coaches shall not be permitted without a prior grant of permission by the planning authority or An Bord Pleanala on appeal.

**Reason:** In the interest of traffic safety, orderly development and amenity

12. Details of proposed measures for crowd control and traffic management during major events/turnover of student courses shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interests of public safety and traffic safety.

13. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region

in which the site is situated. The plan shall include details of the off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.

**Reason:** In the interest of sustainable waste management.

14. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) location of the site and materials compound(s) including area(s) identified for the storage of soil, excavated material and construction refuse;
- (b) features to obviate queuing of construction traffic on the adjoining road network;
- (c) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (d) features to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (e) containment of all construction-related fuel and oil;
- (f) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter drains;

A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interests of clarity, amenities, public health, safety and protecting the environment.

15. All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground.

**Reason:** In the interest of visual amenity.

16. Hours of construction of the proposed facility shall be between 0800 and 1900 Monday to Friday, between 0800 and 1400 on a Saturday and not at all on Sundays or bank or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

17. A plan containing details for the management of waste/recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste/recyclable materials including waste oil and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste/recyclable materials in the interest of protecting the environment.

18. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads that may be damaged by construction transport coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the reinstatement of public roads that may be damaged by construction transport



19. 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 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 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 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:** 17/06/2019

---

Maria FitzGerald