



An  
Bord  
Pleanála

**Board Direction**  
**BD-003091-19**  
**ABP-303968-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/05/2019.

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 location of the proposed development within a rural cluster designated in the Wicklow County Development Plan 2016-2022, to the suitability of the site for the safe disposal of domestic effluent and the lightly trafficked nature of the local road network it is considered that the proposed development will not give rise to surface or ground water pollution, endanger public safety by reason of traffic hazard and would otherwise accord with the settlement strategy set out in the current county development plan and with the proper planning and sustainable development of the area.

### **Conditions**

## 1.0 Conditions

1.	<p>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 7<sup>th</sup> day of July 2019, 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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	PA condition 2 (a), (b) and (c)
3.	<p>Prior to commencement of development revised plans and particulars shall be submitted for the written agreement of the planning authority providing for the following:</p> <p>(a) the repositioning of the effluent pipe from the proposed dwelling house to the domestic waste water treatment system to avoid it passing under the proposed stable block.</p> <p>(b) the repositioning of the proposed surface water percolation area from within the curtilage of the adjoining site to the east to within the curtilage of the application site.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>(a) The roof colour of the proposed house and stables shall be blue-black, black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof.</p> <p>(b) The external walls shall be finished in neutral colours such as grey or off-white.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>

5.	<p>The water supply to serve the proposed dwelling shall have sufficient yield to serve the proposed development, and the water quality shall be suitable for human consumption. Details, demonstrating compliance with these requirements, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To ensure that adequate water is provided to serve the proposed dwelling, in the interest of public health.</p>
6.	<p>Drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-</p> <p>(a) uncontaminated surface water run-off shall be disposed of directly in a sealed system, and</p> <p>(b) all soiled waters shall be directed to a storage tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.</p> <p><b>Reason:</b> In the interest of environmental protection and public health.</p>
7.	<p>(a)The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled “Wastewater Treatment Manual – Treatment Systems for Single Houses” – Environmental Protection Agency (2009).</p> <p>(b)Treated effluent from the septic tank system shall be discharged to a raised percolation area which shall be provided in accordance with the standards set out in “Wastewater Treatment Manual – Treatment Systems for Single Houses” – Environmental Protection Agency (2009).</p> <p>(c)Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional</p>

	<p>indemnity insurance certifying that the raised percolation area is constructed in accordance with the standards set out in the EPA document.</p> <p><b>Reason:</b> In the interest of public health.</p>
8.	<p>Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations, 2017(SI no. 605 of 2017).</p> <p><b>Reason:</b> To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.</p>
9.	<p>The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <ul style="list-style-type: none"> <li>(a) the establishment of a hedgerow along all side and rear boundaries of the site, and</li> <li>(b) planting of trees at metre intervals along the roadside boundary of the site.</li> </ul> <p>Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In order to assimilate the proposed development into the surrounding rural landscape, in the interest of visual amenity.</p>
10.	<p>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</p>

<p>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 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.</p> <p><b>Reason:</b> 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.</p>
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**Board Member**

**Date:** 20/05/2019

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Terry Prendergast