



An
Bord
Pleanála

Board Direction
BD-004839-19
ABP-305270-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/12/2019.

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 exceptional health circumstances of the applicant, the detailed design of the proposed development and the location of the entrance to the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, or give rise to traffic hazard and 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 28 th day of June 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
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	<p>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>Reason: In the interest of clarity.</p>
2.	<p>Prior to the commencement of development, the existing agricultural entrance granted under PA ref. KA/900150 shall be permanently closed up and the site accessed from the entrance shown in the Revised Site Layout Plan dated February 2019. Written confirmation and photographic evidence of this and provision of sightlines (as per Revised Site Layout Plan, February 2019) shall be submitted to the planning authority.</p> <p>Reason: In the interest of traffic safety.</p>
3.	<p>Surface water from the site shall be directed into soakpits and shall not be permitted to drain onto the adjoining public road or into the wastewater treatment system.</p> <p>Reason: In the interest of traffic safety and public health.</p>
4.	<p>The roof colour of the proposed house 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. The external walls shall be finished in neutral colours such as grey or off-white.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>(a) Existing hedgerows, trees and shrubs on site shall be retained, except where it is necessary to accommodate the entrance to the site. The existing trees and hedge shown for removal on the drawings submitted shall not be removed but shall be retained and maintained other than to provide for the proposed entrance.</p> <p>Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.</p>
6.	<p>During construction adequate off carriageway parking facilities shall be provided for all traffic associated with the development, including delivery</p>

	<p>and service vehicles/trucks. There shall be no parking along the public road.</p> <p>Reason: In the interest of traffic safety.</p>
7.	<p>(a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 1st March 2019 (Site Characterisation Form), and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.</p> <p>(b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.</p> <p>(c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the 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, and agreed in writing with, the planning authority within four weeks of the installation.</p> <p>(d) 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.</p> <p>(e) Within three 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 and that the polishing filter is constructed in accordance with the standards set out in the EPA document.</p> <p>Reason: In the interest of public health.</p>

8.	Standard occupancy condition
9.	<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 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 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>

Board Member

Date: 31/12/2019

Terry Prendergast

Note: The Board considered that the retention of existing trees and hedge along the site frontage would not give rise to a traffic hazard and would contribute to the visual amenity of the area.

Please include Direction with Order.