



An
Bord
Pleanála

Board Direction
BD-005044-20
ABP-305507-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/01/2020.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the site's location within a settlement centre, the established pattern of development in the area and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of adjoining property or of property in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board took into consideration the site-specific proposals for Waste Water Treatment Systems for houses numbered 1 and 2 submitted with the application and noted and concurred with the Planning Authority's conclusion that the T Value results were satisfactory.

Conditions

The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 6th day of August, 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 and the development shall be carried out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The development shall be carried out in accordance with the final proposal outlined as part of the Architectural Conservation Report submitted to the planning authority on the 6th day of August, 2019.
- (b) Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, no additional development shall be carried out on the site without a prior grant of planning permission.
- (c) Fenestration in houses numbers 1 and 2 shall be as proposed in drawings submitted to the planning authority on the 11th day of December, 2019.

Reason: In the interest of protecting the setting of the neighbouring protected structure.

3. The entrance shall be recessed a minimum of 4.5 metres from the front boundary fence and the side walls shall be splayed at an angle of 45 degrees. The walls and piers shall not exceed a height of one metre over the level of the adjoining public road.

Reason: To provide proper sight distance for emerging traffic in the interest of road safety.

4. Surface water from the site shall not be permitted to drain onto the public road.

Reason: To prevent flooding of the public road.

5. Foul drainage shall be by means of a property wastewater treatment system. The treatment unit and percolation area shall meet all the requirements of the Code of Practice, Wastewater Treatment Systems Serving Single Houses (p.e.<10) EPA 2009 and shall be installed and maintained in accordance with the manufacturer's instructions.

Reason: In the interest of public health.

6. Prior to the commencement of development, the developer shall enter into water and/or wastewater connections agreement(s) with Irish Water.

Reason: In the interest of public health.

7. All existing boundary trees shall be retained on the site unless otherwise agreed in writing with the planning authority. An additional planting screen shall be added as per the Architectural Conservation Report submitted to the planning authority on the 6th day of August, 2019. Planting shall commence on the first planting season following commencement of development.

Reason: In the interest of visual amenity.

8. 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.

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: 28/01/2020

Terry Ó Niadh