



An
Bord
Pleanála

Board Direction
BD-007744-21
ABP-307890-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/03/2021.

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 location of the development, and the precedent established for the proposed change of use sought under this application, it is considered that, subject to compliance with the conditions set out below, the proposed change of use of the dwelling from holiday home to permanent residence would not injure the amenities of the area, would not give rise to traffic hazard and would not be prejudicial to public health and the environment. The proposed change of use 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 considered that, having regard to the additional information supplied in relation to the adequacy of the existing proprietary wastewater treatment system serving the site and the screening for appropriate assessment, as well as taking into account relevant precedent decisions made by the planning authority in the immediate vicinity, the proposed change of use to a permanent residence would not have a detrimental impact on the area, on amenities or on the adjacent designated site. The Board further considered that the matter before the Board for determination in relation to the proposed change of use to a permanent residence

was appropriate and that the issue of housing need did not arise in this instance, and the issues could be determined within the scope of the existing planning application.

Conditions

1. The development shall be carried out and completed 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. 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. (a) The proposed dwelling shall be occupied as the place of residence of the applicant for a period of seven years, unless consent is granted by the Planning Authority for its occupation by other person who belong to the same category of housing need as the applicant.

(b) Within two months, the applicant shall submit to the Planning Authority, a written statement of the confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

(c) This condition shall not affect the sale of the dwelling by a mortgagee in possession or by any person deriving title from such a sale.

Reason: In the interests of proper planning and sustainable development.

Board Member

Date: 24/03/2021

Dave Walsh